



WESTERN INDIA REGIONAL COUNCIL  
OF  
THE INSTITUTE OF CHARTERED  
ACCOUNTANTS OF INDIA

# Workshop on RERA- Registration of Project Requirements

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25 May 2019



# Framework of RERA

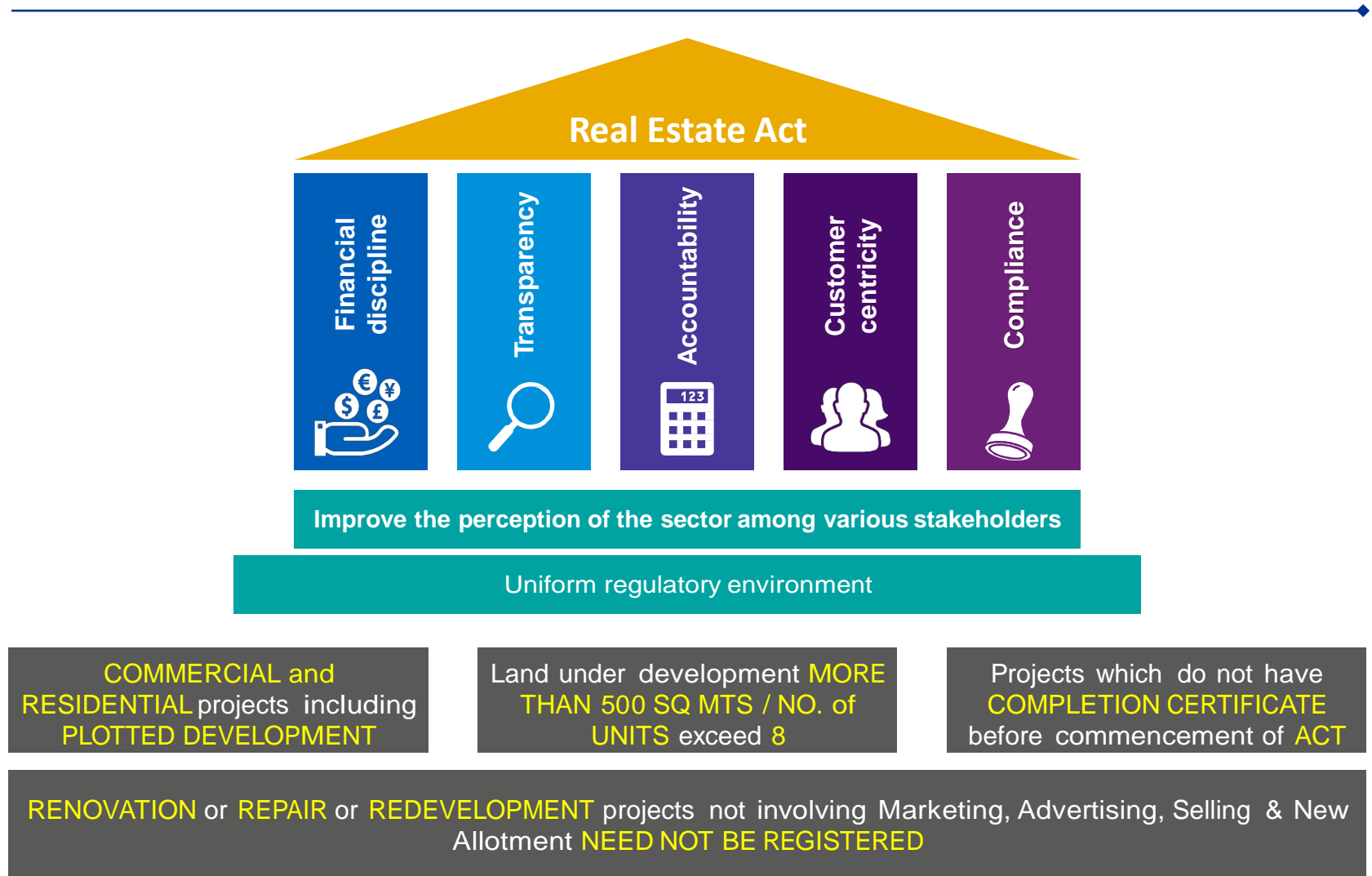
# Framework of RERA

<b>Section</b>	<b>Provisions of the Act</b>
<b>1 – 2</b>	<b>Scope and Definitions</b>
<b>3 – 8</b>	<b>Registration of the Project</b>
<b>9 - 10</b>	<b>Registration of Agents and its Functions</b>
<b>11 – 18</b>	<b>Functions and duties of Promoters</b>
<b>19</b>	<b>Rights and Duties of Allottees</b>
<b>20 - 39</b>	<b>RERA Authority – Constitution, Administration, Functions, Powers, etc.</b>
<b>40</b>	<b>Recovery of Interest or Penalty or Compensation from Developer b the Authority as Land Revenues</b>
<b>43 – 58</b>	<b>RERA Tribunal - Constitution, Administration, Functions, Powers, etc.</b>
<b>59 – 72</b>	<b>Penalties and Offences</b>
<b>73 – 78</b>	<b>RERA Authority – Accounts, Finance, Audit and Reports</b>
<b>79 – 92</b>	<b>Miscellaneous Provisions: Bar of Jurisdiction, Power to make Rules &amp; Regulations, Act to have overriding effect over other Acts, Repeal of MOFA 2012</b>

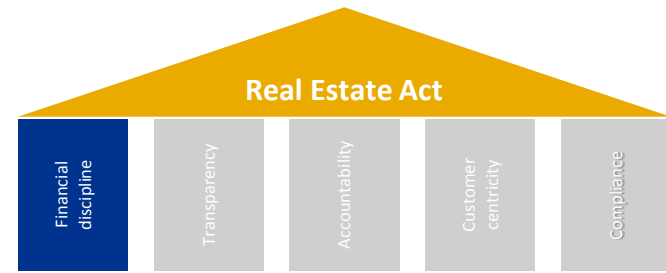
# Framework of MAHA RERA

Sr	Rules and Regulations
1	<b>Maharashtra (Real Estate &amp; Development) (Registration of real estate projects, registration of agents, rates of interest and disclosure on website) Rules 2017</b>
2	<b>Maharashtra (Real Estate &amp; Development) (Recovery of Interest, Penalty, Compensation, Fine payable, Forms of Complaint and Appeal, etc.) Rules 2017</b>
3	<b>Maharashtra Real Estate Appellate Tribunal (Members, Officers and Employees) (Appointment and Service Conditions) Rules, 2017</b>
4	<b>Maharashtra Real Estate Regulatory Authority (Form of Annual Statement of Accounts and Annual Report) Rules, 2017</b>
5	<b>Maharashtra Real Estate Regulatory Authority , Chairperson, Members Officers and Other Employees (Appointment and Service Conditions) Rules, 2017</b>
6	<b>Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017</b> <b>Rights and Duties of Allottees:</b> <b>Formats of Certificates of Architects, Engineers, Chartered Accountants, Annual Audit report by Statutory Auditors, Power of Attorney for Representation and Application for Inspection/Obtaining Copies of Documents/Records</b>
7	<b>Maharashtra Real Estate Regulatory Authority (Recruitment and Conditions of Service of Employees) Regulations, 2017</b>
8	<b>Notifications and Orders by RERA Authority</b>

# Pivotal pillars of the Act



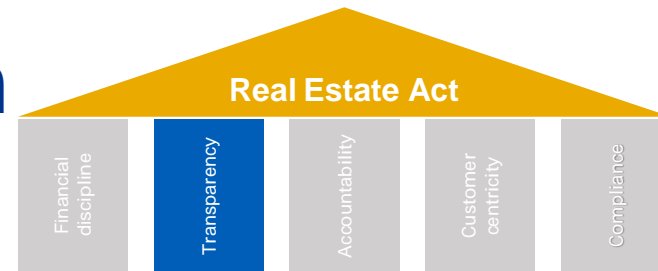
# Fiscal discipline will play a critical role in project development and requires utmost importance



## Financial Discipline

What it entails				
70% of the funds collected from allottees needs to be deposited in the project account	Withdrawals to cover construction and land cost	Withdrawals to be in proportion to the % completion method	Withdrawal to be certified by Engineer, Architect, and CA	Promoter to compensate buyer for any false or incorrect statement with full refund of property cost with interest
Provision for RERA to freeze project bank account upon non-compliance	Project Accounts to be Audited / FY. Copy to be submitted to RERA	Provision for stronger financial penalties for RERA non-compliances	Interest on delay will be same for customer and promoter	

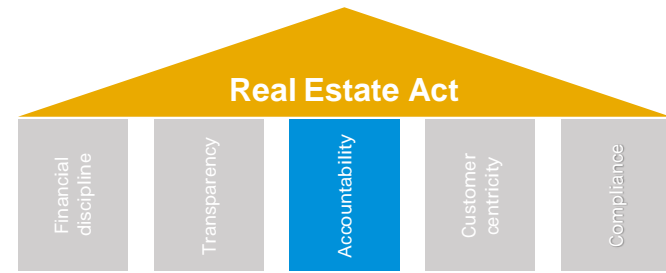
Structured communication is required to furnish all project related information to the customers



Transparency

What it entails				
Number, type and carpet area of apartments	Consent from affected allottees for any major addition or alteration	Consent of 2/3 <sup>rd</sup> allottees about any other addition or alteration	No false statements or commitments in advertisement	Quarterly updating of RERA website with details such as unsold inventory and pending approvals
No arbitrary cancellation of units by promoter	Project completion time frame	Informing allottees about any minor addition or alteration	No launch or advertisement before registration with RERA	Consent of 2/3 <sup>rd</sup> allottees for transferring majority rights to 3 <sup>rd</sup> party

A PMO would be required to track and monitor developments as per the defined project plan



Accountability

What it entails

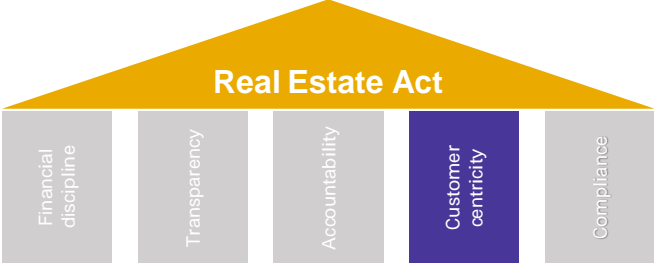
Quarterly update of project progress along with pending approvals on RERA website

Every officer of a company, who was in charge or responsible will be liable for the conduct of the company and deemed to be guilty

Offence by an officer committed with the consent or connivance of any director, manager, secretary or other officer of the company, will also be guilty

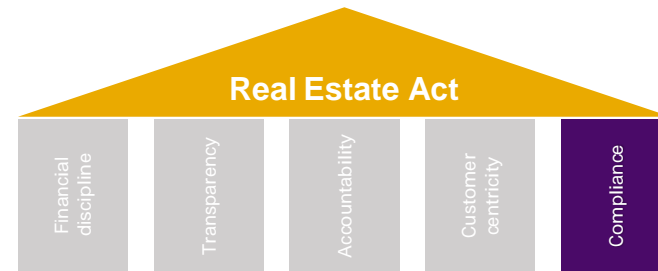


# CRM would help to enhance customer centricity focus



Customer centricity	What it entails		
	Sharing information project plan, layout, government approvals, land title status, sub contractors	Increased assertion on the timely completion of projects and delivery to the consumer.	An increase in the quality of construction due to a defect liability period of five years.
	Formation of RWA within specified time or 3 months after majority of units have been sold	Consent of 2/3 <sup>rd</sup> allottees for any other addition or alteration	Consent from affected allottees for any major addition or alteration
	Unbiased interest on delays	Informing allottees for any minor addition or alteration	No false statements or commitments in advertisement

# Registration of all projects & agents and a strong dispute management required



		What it entails		
<b>Compliance</b>	Authenticated copy of all approvals, commencement certificate, sanctioned plan, layout plan, specification, plan of development work, proposed facilities, Proforma allotment letter, agreement for sale and conveyance deed to be given when applying for project registration with RERA	Registration of agents/brokers with RERA	Dispute resolution within 6 months at RERA and RERA appellate tribunals	Mandatory registration of new and existing projects with RERA before launch
		Timely updating of RERA website		
		Maximum 1 year extension in case of delay due to no fault of developer	Developers to share details of projects launched in last 5 years with status and reason for delay with RERA	Separate registration of different phases of a single projects
				Construction and land title insurance
		Annual audit of project accounts by a CA	Conveyance deed for common area in favor of RWA	<b>Quarterly update of project progress on RERA website</b>

# Registration of a Project

# Registration of new projects

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## Registration details to be provided

- **Details of encumbrances on land**
- **Number and areas of garage** for sale and **open parking** areas
- Name and address of **real estate agents, contractors, architects, structural engineer**, and other person concerned with the development of the proposed project.
- **Proforma agreement for sale, and the conveyance deed.**
- **Sanction letter from bank for construction finance and home loan tie-ups.**
- Plan of development works to be executed in the proposed project and the proposed facilities.
- **Amenities:** detailed note explaining the salient features of the proposed project including **access to the project, design for electric supply including street lighting, water supply arrangements etc.**

# Registration of new projects

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## Registration details to be provided

### Promoter details

- Pan Card of promoter
- Balance Sheet and last 3 year IT returns of the promoter and in case of new entity, last 3 years IT returns of parent entity.
- Details of project launched by promoters in last five years, including current status, details of cases and payment pending.
- Developer or group profile (name, registered address, type of enterprise etc.)
- Background and track record of promoters – educational qualification, work experience, projects completed/ongoing etc.
- Litigations – details of past and ongoing litigations (projects only).

# Registration of new projects

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## Registration details to be provided

### Land details

- Legal title deed reflecting the title of the promoter to the land
- Legally valid documents with authentication of land title if such land is owned by another person
- Details of encumbrances on land
- In case of JV, copy of collaboration agreement, development agreement, JV agreement etc.
- Land title search report from an advocate with 10 years experience

# Registration of new projects

## Registration details to be provided

### Project details

- Agency to take up external development work
- Authenticated copy of the approvals and commencement certificate from the competent authority.
- Sanctioned plan, layout plan and specifications of the project.
- In case of phased development, sanctioned plan, layout plan and specification of the whole project.
- Plan of development works to be executed in the proposed project and the proposed facilities (such as fire-fighting, drinking water, emergency evacuation etc.
- Number, type and the carpet area of apartments for sale along with area of the exclusive balcony or verandah areas and exclusive open terrace.
- Number and areas of garage for sale and open parking areas
- Name and address of real estate agents, contractors, architects, structural engineer, and other person concerned with the development of the proposed project.

# Registration of new projects

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## Registration details to be provided

### Project details

- Proforma agreement for sale, and the conveyance deed.
- Sanction letter from bank for construction finance and home loan tie-ups.
- GIS Location Details.



# Registration of new projects

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## Registration details to be provided

### Declaration

- Declaration in Form B stating following:
  - Promoter has clear legal title to the land
  - Land is free from encumbrances and if not, details of such encumbrances
  - Project completion time period
  - Project account maintenance
  - Promoter will not discriminate against any allottee

### Development plan

- Plan of development works to be executed in the proposed project and the proposed facilities
- Amenities: detailed note explaining the salient features of the proposed project including access to the project, design for electric supply including street lighting, water supply arrangements etc.
- Gantt Charts and Project Schedule

# Architect's Certificate- Form 1

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- The Architect's certificate has to be issued in Form 1 as prescribed per MahaRERA regulations.
- The Certificate contains the details of-
  - Project Professionals involved in the construction namely-
    - Architect,
    - Structural Consultant,
    - MEP Consultant, and
    - Site Supervisor
  - Percentage of Work Completed for different buildings and/or wing forming part of the project.
  - Percentage of Work Completed for entire registered phase with respect to internal and external development work such as common amenities, water supply, internal roads etc.

# Engineer's Certificate- Form 2 and Form 2A

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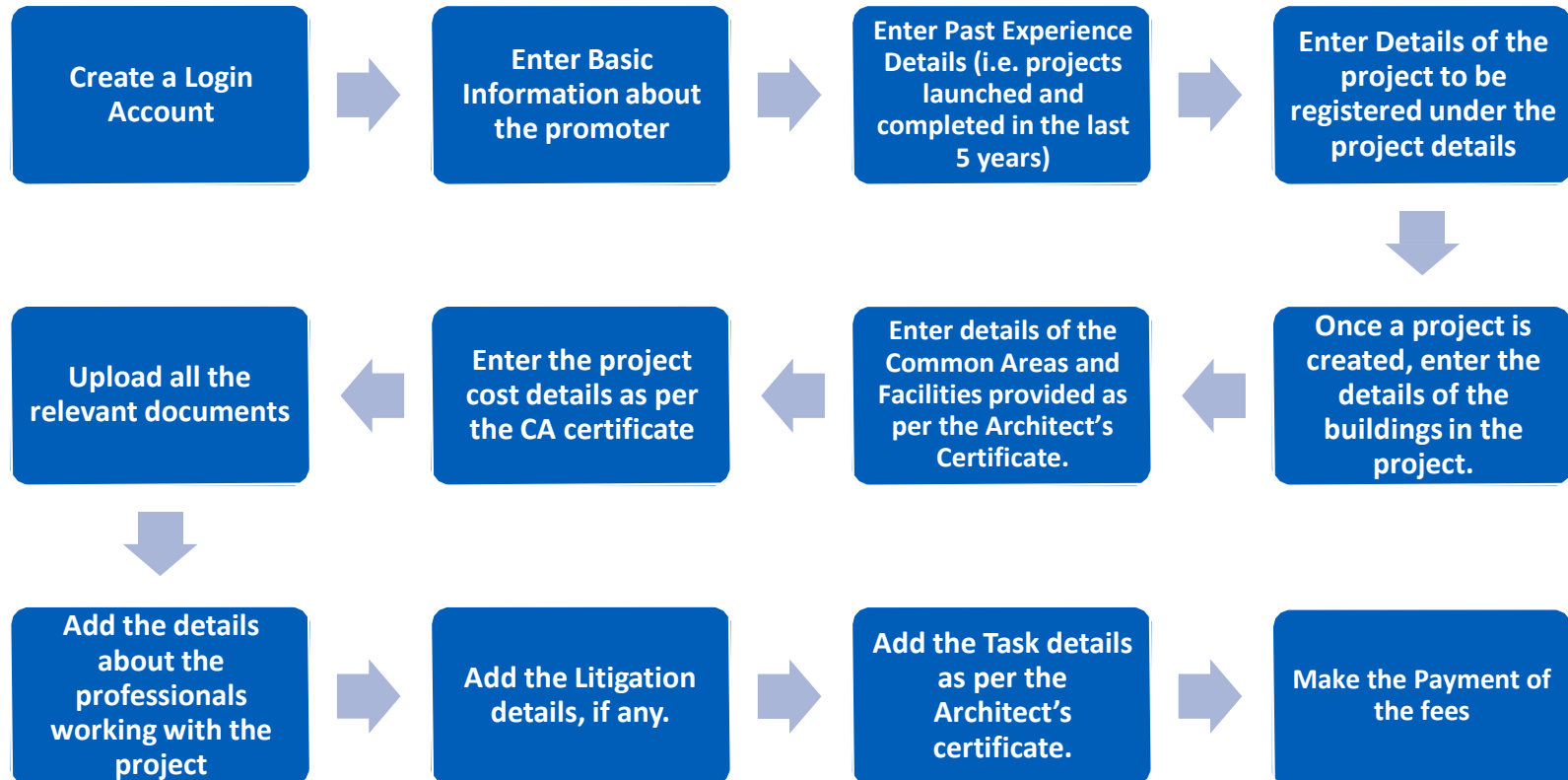
- The Engineer's Certificate has to be issued in Form 2 and 2A as prescribed per MahaRERA regulations.
- The Certificate contains the details of-
  - Project Professionals involved in the construction namely-
    - Architect,
    - Structural Consultant,
    - MEP Consultant, and
    - Site Supervisor
  - Total Estimated Cost of project completion,
  - Estimated Costs incurred till date
  - Balance Costs to be incurred to obtain completion certificate.
- The Engineer has to certify the quality of materials used in the construction of the project as per the format prescribed by the MahaRERA authority.

# CA's Certificate- Form 3

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- The CA's certificate has to be issued in Form 3 as prescribed per MahaRERA regulations.
- The Certificate contains the details (Both Estimated as well as Actual) of-
  - Land Cost, Development Cost,
  - Total Estimated Cost and actual Cost incurred
  - Percentage completion of the work (as per Architects Certificate)
  - Percentage of Cost incurred to estimated costs
  - Withdrawable amount from the designated bank account after considering the amount already withdrawn till date.
- The CA has to attach his workings as per prescribed format as per MahaRERA (i.e. Annexure A to Form 3).

# Registration Process



# Document Checklist to be uploaded on the MahaRERA Portal

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- PAN Card
- Copy of Legal Title Report
- Details of encumbrances
- Copy of Layout Approval
- Proforma Allotment Letter and agreement for sale
- Declaration in Form B
- Certificates of Architect (Form 1)
- Commencement Certificate
- Building Plan Approval
- Certificates of Engineer (Form 2)
- Certificates of CA (Form 3)
- Certificates of CA (Form 5)
- Certificates of Architects (Form 4)
- Status of Conveyance
- Form 2A
- Status of formation of legal entity (society/Co op etc.)

# Promoter Registration - Login

## Step 1

The Promoter should login to the MAHARERA website and click on Login

The screenshot displays the MAHARERA website interface. On the left, the header includes the MAHARERA logo and the text "Maharashtra Real Estate Regulatory Authority". Below this, there are navigation tabs for "Latest Updates", "Guidelines", and "Supports". A "Latest Updates" section shows two news items with placeholder text and "Read more..." links. On the right, a "Login to your Account" form is visible. It contains a "Promoter" label above a text input field, a password input field with masked characters, a CAPTCHA image with the text "IMFEQ", and a "Try another" link. Below the input fields are two buttons: "Log In" and "New Registration". The "Log In" button is highlighted with a green box, and the "New Registration" button is also highlighted with a green box. At the bottom of the login form, there are links for "Forgot Password?" and "New Registration".

For first time login, click on “New Registration”

# Promoter Registration - Login

## Step 2

Enter details for new Registration. Select User type as “Promoter”. Once all the requisite details such as password, email ID, etc are entered, then click on the “Create User” button.

### Create New Account

Select User Type \*

Promoter  Real Estate Agent  Citizen

Username \*

Promoter

Password \*

.....

Confirm Password \*


Confirm New Password

Mobile Number \*

Mobile Number

E-mail ID \*

Email ID

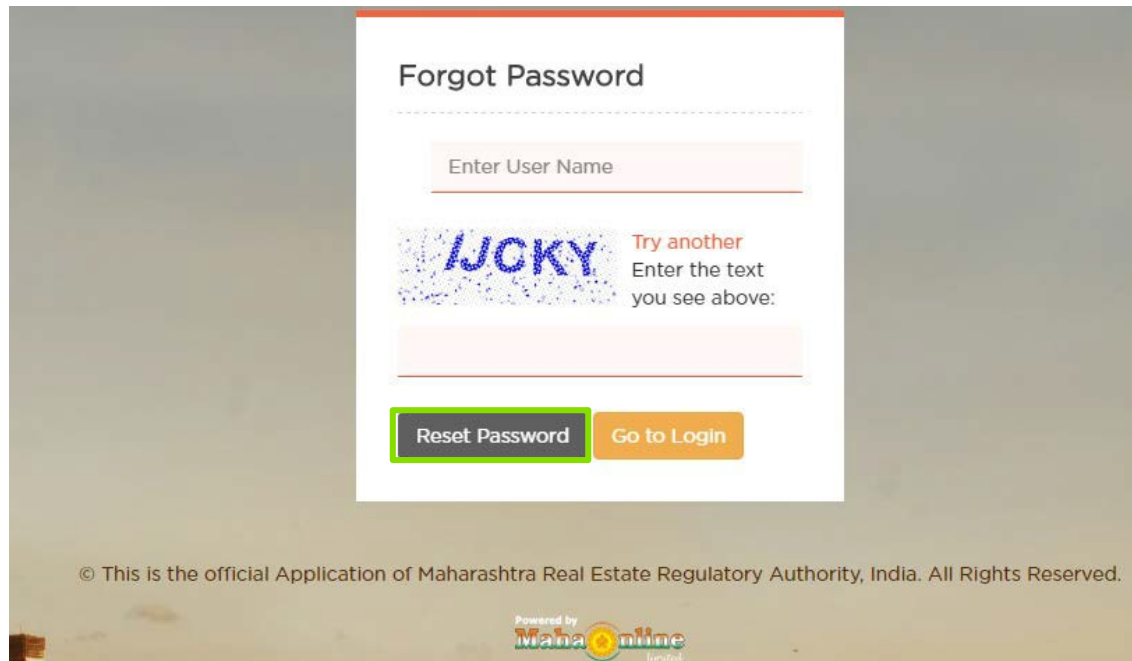
 Try another  
Enter the text you see above:



# Promoter Registration - Login

## Step 3

In case it is a returning user and has forgotten his/her password, click on the “Forgot Password” tab on the Login page. The following screen will appear. Enter the details and then “Reset Password”



The screenshot shows a mobile application interface for the 'Forgot Password' process. The title 'Forgot Password' is at the top. Below it is a text input field labeled 'Enter User Name'. A CAPTCHA challenge is displayed with the word 'LUCKY' in a blue, pixelated font. To the right of the CAPTCHA, the text reads 'Try another' in red, followed by 'Enter the text you see above:'. Below the CAPTCHA is another text input field. At the bottom of the form are two buttons: 'Reset Password' (highlighted with a green border) and 'Go to Login' (highlighted with an orange border). At the very bottom of the screen, there is a copyright notice: '© This is the official Application of Maharashtra Real Estate Regulatory Authority, India. All Rights Reserved.' and a logo for 'Powered by MahaOnline'.

# Promoter Registration - Account Details

## Step 4

Once the Promoter logs in, he/she first has to click on “Account”

The screenshot displays the Maha-RERA mobile application interface. On the left, a dark sidebar contains the text "Maha-RERA" at the top, followed by a circular profile icon and the text "Welcome, Promoter". Below this, a menu lists four items: "Account", "Project Details", "Payment", and "Log Out", each with a small icon and a downward arrow. The "Account" item is highlighted with a green rectangular border. The main content area on the right features the Maharashtra Real Estate Regulatory Authority logo and name at the top, a "Welcome to Maha-RERA" message in a white box, and a large, empty light gray area below. At the bottom of the screen, there is a small copyright notice: "© This is the official Application of Maharashtra Real Estate Regulatory Authority, India. All Rights Reserved." and a small orange icon.

# Promoter Registration - Account Details

## Step 5

After clicking on “My Profile” within “Account”, the Promoter needs to enter individual information, address for official communication, etc, when the information type selected is “Individual”

**MAHARERA**  
Welcome,  
Promoter

Account

- My Profile
- Past Experience Details
- Project Details
- Payment
- Log Out

Maharashtra Real Estate Regulatory Authority

### My Profile

#### General Information

Information Type\*  Individual  Other Than Individual

#### Individual

First Name\* Middle Name\* Last Name\* PAN Number\*

Father Full Name\* Aadhar Number\*

#### Address For Official Communication

House Number\* Building Name\* Street Name\* Locality\*

Landmark\*

# Promoter Registration - Account Details

## Step 6

The next step involves uploading a profile picture if the Information type is selected as “Individual”. Click on “Upload Profile Picture” under “Account”.



Instruction for Upload Photo

- ✓ The size of the photograph should fall between 5KB to 20KB
- ✓ Photograph Format should be JPEG or PNG.
- ✓ The width of the photograph should be 160 pixels.
- ✓ The height of the photograph should fall between 200 to 212 pixels.

ProfileImageInd

Choose File No file chosen

Save

# Promoter Registration - Account Details

## Step 5

After clicking on “My Profile” within “Account”, if Information type is “Other than individual” then the following details need to be filled

**MAHARERA**  
Welcome,  
Promoter

Account

My Profile

Past Experience Details

Project Details

Payment

Log Out

Maharashtra Real Estate Regulatory Authority

### My Profile

#### General Information

Information Type\*  
 Individual  
 Other Than Individual

#### Organization

Name\* PAN Number\* Organization Type\*  
[Text Field] [Text Field] [Select Organization]

#### Address Details

Block Number\* Building Name\* Street Name\* Locality\*  
[Text Field] [Text Field] [Text Field] [Text Field]

Land mark\*  
[Text Field]

State\* Division\* District\* Taluka\*  
[Maharashtra] [Select Division] [Select District] [Select Taluka]

# Promoter Registration - Account Details

## Step 5

After clicking on “My Profile” within “Account,” if Information type is “Other than individual” then the following details need to be filled

<input type="text"/>			
State*	Division*	District*	Taluka*
<input type="text" value="Maharashtra"/>	<input type="text" value="Select Division"/>	<input type="text" value="Select District"/>	<input type="text" value="Select Taluka"/>
Village*	Pin Code*		
<input type="text" value="Select Village"/>	<input type="text"/>		
<b>Organization Contact Details</b>			
Name of Contact Person*	Designation of Contact Person*		
<input type="text"/>	<input type="text"/>		
CompanyMobileNo*	Secondary Mobile Number*	Office Number*	Fax Number
<input type="text" value="8999999999"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Email ID*	Website URL		
<input type="text" value="promotor@rera.com"/>	<input type="text"/>		
<input type="button" value="Save"/>			

# Promoter Registration - Account Details

## Step 5

After clicking on “My Profile” within “Account”, if Information type is “Other than individual” then the following details need to be filled

### Director Details

Designation *	<input type="text" value="Select Designation"/>	First Name *	<input type="text"/>
Middle Name	<input type="text"/>	Last Name *	<input type="text"/>
PAN Number *	<input type="text"/>	Aadhar Number *	<input type="text"/>

### Address Details

House Number *	<input type="text"/>	Building Name *	<input type="text"/>
Street Name *	<input type="text"/>	Locality *	<input type="text"/>
Land mark *	<input type="text"/>	State *	Maharashtra
Division *	<input type="text" value="Select Division"/>	District *	<input type="text" value="Select District"/>
Taluka *	<input type="text" value="Select Taluka"/>	Village *	<input type="text" value="Select Village"/>
Pin Code *	<input type="text"/>		

# Promoter Registration - Account Details


## Step 7

In Step 7, the Promoter has to enter his/her past experience details such as number of buildings/plots, etc

**MAHARERA**

Welcome,  
Promoter

- Account
- My Profile
- Past Experience Details**
- Project Details
- Payment
- Log Out

 Maharashtra Real Estate Regulatory Authority

### Promoter Past Experience Details

**Brief Details of Project launched and completed by promoter in last five years:(across India)**

Name of Project*	<input type="text"/>	Project Type*	Select Project Type ▼
Address*	<input type="text"/>	Land Area(In Sq mtrs)*	<input type="text"/>
Number of Buildings/Plots*	<input type="text"/>	Number of Apartments*	<input type="text"/>
Total Cost(In INR)*	<input type="text"/>	Plot bearing C.N.No/CTS No./Survey no./Final Plot no	<input type="text"/>
Original Proposed Date of Completion	<input type="text"/>	Actual Completion Date*	<input type="text"/>

No Records Found



# Promoter Registration – Project Details

## Step 8

In Step 8, the promoter will enter Project Details such as details of project by clicking on “Add Project”

**MAHARERA**  
Welcome, Pro3

Account  
Project Details  
**Add Project**  
Add Buildings  
Common Areas and Facilities  
Add Project Cost  
Document Upload  
Add Project Professional Details  
Add Litigations Related to the Project  
Task/Activity  
Application Withdrawal

Maharashtra Real Estate Regulatory Authority

### Add Project

#### Project Information

Project Status\*  On-Going Project  New Project

Project Name\*  Project Type\*

Originally Proposed Date of Completion  Revised Proposed Date of Completion

\* If the original date is different from proposed date and there is a delay in the project, then the new proposed date should be commensurate with the extent of work already completed

Litigations related to the project ?\*  Yes  No

#### Land Details

Plot Bearing No / CTS no / Survey Number/Final Plot no.  Area(In sqmts)\*  Aggregate area(In sqmts) of recreational open space

Sanctioned Buildings Count Proposed But Not Sanctioned Total Building Count\*

# Promoter Registration - Project Details

## Step 8

In Step 8, the Promoter will enter Project Details such as Land details, FSI details etc

- Document Upload
- Add Project Professional Details
- Add Litigations Related to the Project
- Task/Activity
- Application Withdrawal
- Payment
- Log Out

### Land Details

Plot Bearing No / CTS no / Survey Number/Final Plot no. *	Area(In sqmts)* <input type="text"/>	Aggregate area(In sqmts) of recreational open space *	
<input type="text"/>		<input type="text"/>	
Sanctioned Buildings Count <input type="text" value="Please Select"/>	Proposed But Not Sanctioned Buildings Count <input type="text" value="Please Select"/>	Total Building Count* <input type="text"/>	
Boundaries East* <input type="text"/>	Boundaries West* <input type="text"/>	Boundaries North* <input type="text"/>	Boundaries South* <input type="text"/>

### FSI Details

Built-up-Area as per Approved FSI (In sqmts) <input type="text"/>	Built-up-Area as per Proposed FSI (In sqmts) ( Proposed but not sanctioned) ( As soon as approved, should be immediately updated in Approved FSI) * <input type="text"/>	TotalFSI* <input type="text"/>
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# Promoter Registration - Project Details

## Step 8

In Step 8, the Promoter will enter Project Details such as Address details, details of separate bank account, etc

### Address Details

State*	Division*	District*	Taluka*
<input type="text" value="Maharashtra"/>	<input type="text" value="Select Division"/>	<input type="text" value="Select District"/>	<input type="text" value="Select Taluka"/>
Village*	Pin Code*		
<input type="text" value="Select Village"/>	<input type="text"/>		

### Details of separate bank account as per section 4 (2)(I)(D) of the Act

Bank Name*	Branch Name*	Bank Address*	IFSC Code*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Bank A/c Number*			
<input type="text"/>			

### Project Details

# Promoter Registration – Project Details

## Step 9

In Step 9, the Promoter will enter Add details of Buildings by clicking on “Add Buildings”

**MAHARERA**  
Welcome, Pro3

Account  
Project Details  
Add Project  
**Add Buildings**  
Common Areas and Facilities  
Add Project Cost  
Document Upload  
Add Project Professional Details  
Add Litigations Related to the Project  
Task/Activity  
Application Withdrawal

Maharashtra Real Estate Regulatory Authority

### Add Building

**Project**

Project Name: Tet New Project

**Building Details**

Name*	Number of Basement's*	Number of Plinth*	Number of Podium's*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Number of Slab of Super Structure*	Number of Stilts*	Number of Open Parking*	Number of Closed Parking*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Area**

Carpet Area of Apartments ( In Sq.mts) *	Proposed Number of Apartments*	Number of Apartments Booked/Sold/Alotted *
<input type="text"/>	<input type="text"/>	<input type="text"/>

**⚠ Maximum number of Building/Wings are added, Cannot add more buildings , If you want to add more buildings/wings please modify project details.**

# Promoter Registration - Project Details

## Step 9

In Step 9, the Promoter will enter Add details of Buildings by clicking on “Add Buildings”

- Add Buildings**
- Common Areas and Facilities
- Add Project Cost
- Document Upload
- Add Project Professional Details
- Add Litigations Related to the Project
- Task/Activity
- Application Withdrawal
- Payment
- Log Out

Number of Slab of Super Structure\*

Number of Stilts\*

Number of Open Parking\*

Number of Closed Parking\*

**Area**

Carpet Area of Apartments ( In Sq.mts)

Proposed Number of Apartments\*


Number of Apartments Booked/Sold/Alotted\*

**ⓘ Maximum number of Building/Wings are added, Cannot add more buildings , If you want to add more buildings/wings please modify project details.**

Current Building Count = 1 | Maximum Building Count = 1

Sr No.	Project Name	Name	Number of Basement's	Number of Plinth	Number of Podium's	Number of Slab of Super Structure	Carpet Area of Apartments ( In Sq.mts)	Proposed Number of Apartments	Number of Apartments Booked/Sold/Alotted	
1	Tet New Project	asd	456	456	456	456	456	456	456	This project's buildings are on desk for scrutiny, can not be modified

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# Promoter Registration - Project Details

## Step 10

In Step 10, the Promoter will enter Add details of Common Areas and Facilities by clicking on “Common Areas and Facilities”

Maha-RERA



Welcome,  
pro3

- Account
- Project Details
  - Add Project
  - Add Buildings
  - Common Areas and Facilities**
  - Add Project Cost
  - Document Upload
  - Add Project Professional Details
  - Add Litigations Related to the Project
  - Task/Activity

Maharashtra Real Estate Regulatory Authority

### Common Areas and facilities

**Project**

Project Name:

**Project Details**

Name	Proposed	Number Of Units Booked	Progress Of Work Done (in %)
Number of Garages ( In Numbers)	<input type="text" value="123"/>	<input type="text" value="123"/>	<input type="text" value="11"/>
Covered Parking ( In Numbers)	<input type="text" value="123"/>	<input type="text" value="123"/>	<input type="text" value="11"/>

**Development Work**

Common areas And Facilities, Amenities	Proposed	Percentage Of Completion	Details
Internal Roads & Footpaths :	<input type="text" value="YES"/>	<input type="text" value="1"/>	<input type="text" value="1"/>
Water Supply :	<input type="text"/>	<input type="text"/>	<input type="text"/>

# Promoter Registration – Project Details

## Step 10

In Step 10, the Promoter will enter Add details of Common Areas and Facilities by clicking on “Common Areas and Facilities”. After you add details, click on

Common areas And Facilities, Amenities	Proposed	Percentage Of Completion	Details
Internal Roads & Footpaths :	YES	1	1
Water Supply :	YES	1	1
Sewerage (Chamber, Lines, Septic Tank , STP) :	NO	0	NA
Storm Water Drains :	NO	0	NA
Landscaping & Tree Planting :	NO	0	NA
Street Lighting :	NO	0	NA
Community Buildings :	NO	0	NA
Treatment And Disposal Of Sewage And Sullage Water :	NO	0	NA
Solid Waste Management And Disposal :	NO	0	NA
Water Conservation, Rain water Harvesting :	NO	0	NA
Energy management :	NO	0	NA
Fire Protection And Fire Safety Requirements :	NO	0	NA
Electrical Meter Room, Sub-Station, Receiving Station :	NO	0	NA
Aggregate area of recreational Open Space and Open Parking :	NO	0	NA

[Add More](#) Common Areas and facilities

# Promoter Registration - Project Details

## Step 11

In Step 11, the Promoter will enter Add Project details of cost by clicking on “Cost Details”. He/she then has to enter details based on the “ProjectID”

The screenshot displays the user interface of the Maharashtra Real Estate Regulatory Authority (MHARERA) portal. On the left, a dark sidebar shows the user's profile as 'MAHARERA' with a welcome message 'Welcome, Pro3'. Below the profile, there is a navigation menu with two main sections: 'Account' and 'Project Details'. The 'Project Details' section is expanded, showing several options: 'Add Project', 'Add Buildings', 'Common Areas and Facilities', 'Add Project Cost' (highlighted with a green box), 'Document Upload', 'Add Project Professional Details', 'Add Litigations Related to the Project', 'Task/Activity', and 'Application Withdrawal'. The main content area on the right is titled 'Cost Details' and contains a form with a 'ProjectID' label and a dropdown menu labeled 'Select Project'.



# Promoter Registration - Project Details

## Step 11

In Step 11, the Promoter will enter Add Project details of cost by clicking on “Cost Details”. He/she then has to enter details based on the “ProjectID”

Cost Details

Cost Details

ProjectID

Below All Fields are Mandatory.

Sr. No	Particular	Estimated Total Amount (in INR)	Actual Total Amount (in INR)
1	Land Cost :		
a	Acquisition Cost of Land or Development Rights, lease Premium, lease rent, interest cost incurred or payable on Land Cost and legal cost	<input type="text" value="7"/>	<input type="text" value="8"/>
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	<input type="text" value="78"/>	<input type="text" value="78"/>
c	Acquisition cost of TDR (if any)	<input type="text" value="7"/>	<input type="text" value="87"/>
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	<input type="text" value="87"/>	<input type="text" value="8"/>
e	Land Premium payable as per annual statement of rates (ASR) for redevelopment of land owned by public authorities	<input type="text" value="78"/>	<input type="text" value="7"/>
f i	Estimated construction cost of rehab building including site development and infrastructure for the same as certified by Engineer Actual Cost of construction of rehab building incurred as per the books of accounts as verified by the CA	<input type="text" value="87"/>	<input type="text" value="87"/>

# Promoter Registration - Project Details

## Step 11

In Step 11, the Promoter will enter Add Project details of cost by clicking on “Cost Details”. He/she then has to enter details based on the “ProjectID”

- Payment ▼
- Log Out ▼

	f	i	Estimated construction cost of rehab building including site development and infrastructure for the same as certified by Engineer Actual Cost of construction of rehab building incurred as per the books of accounts as verified by the CA	87	87
		ii	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	8	78
		iii	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	78	78
2			<b>Development Cost/ Cost of Construction</b>		
	a	i	Estimated Cost of Construction as certified by Engineer Actual Cost of construction incurred as per the books of accounts as verified by the CA	7	87
		ii	On-site expenditure for development of entire project excluding cost of construction as per (ii) above, i.e. salaries, consultants fees, site overheads, cost of services (including water, electricity, sewerage), cost of machineries and equipment including its hire and maintenance costs, consumables etc. All costs directly incurred to complete the construction of the buildings /wings of the project registered	87	8
	b		Payment of Taxes, cess, fees, charges, premiums, interest etc to any statutory Authority	78	7
	c		Principal sum and interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction	87	87
3			<b>Total Estimated Cost of the Real Estate Project</b>	689	620

Save

# Promoter Registration - Project Details

## Step 12

In Step 12, the Promoter can then click on “Document Upload” under “Project Details” and uploads the required documents.

The screenshot displays the user interface for the Promoter Registration - Project Details page. On the left, a dark sidebar contains a user profile with a circular photo and the text "Welcome, Pro3". Below the profile are menu items: "Account", "Project Details", and "Payment". The "Project Details" menu is expanded, showing options: "Add Project", "Add Buildings", "Common Areas and Facilities", "Add Project Cost", "Document Upload" (highlighted with a green box), "Add Project Professional Details", "Add Litigations Related to the Project", "Task/Activity", and "Application Withdrawal". The main content area on the right has a header "Document Upload" and a form with a "Project Name" label and a dropdown menu currently showing "Select Project". Below this is a section titled "Documents" which is currently empty.

# Promoter Registration – Project Details

## Step 12

In Step 12, the promoter can then click on “Document Upload” under “Project Details” and upload the required documents. The list of required documents is provided.

The screenshot displays the user interface for promoter registration. On the left is a dark sidebar with a user profile (Pro3) and a menu. The 'Project Details' menu item is expanded, and 'Document Upload' is highlighted with a green box. The main content area is titled 'Document Upload' and shows a dropdown for 'Project Name' set to 'Tet New Project'. Below this is a table of required documents.

Sr. No.	Document Name	Uploaded Document	Action
1	PAN Card *	This project's documents are on desk for scrutiny, can not be modified	
2	Copy of the legal title report *	This project's documents are on desk for scrutiny, can not be modified	
3	Details of encumbrances *	This project's documents are on desk for scrutiny, can not be modified	
4	Copy of Layout Approval (in case of layout) and Building Plan Approval (IOD) *	This project's documents are on desk for scrutiny, can not be modified	
5	Signed Proforma of the allotment letter and agreement for sale *	This project's documents are on desk for scrutiny, can not be modified	
6	Declaration in FORM B *	This project's documents are on desk for scrutiny, can not be modified	
7	Certificates of Architect (Form 1) *	This project's documents are on desk for scrutiny, can not be modified	
8	Certificates of Architect (Form 4)	This project's documents are on desk for scrutiny, can not be modified	

# Promoter Registration – Project Details

## Step 12

In Step 12, the promoter can then click on “Document Upload” under “Project Details” and upload the required documents. The list of required documents is

Document Upload		can not be modified	
Add Project Professional Details	4	Copy of Layout Approval (in case of layout) and Building Plan Approval (IOD) *	This project's documents are on desk for scrutiny, can not be modified
Add Litigations Related to the Project	5	Signed Proforma of the allotment letter and agreement for sale *	This project's documents are on desk for scrutiny, can not be modified
Task/Activity	6	Declaration in FORM B *	This project's documents are on desk for scrutiny, can not be modified
Application Withdrawal	7	Certificates of Architect (Form 1) *	This project's documents are on desk for scrutiny, can not be modified
Payment	8	Certificates of Architect (Form 4)	This project's documents are on desk for scrutiny, can not be modified
Log Out	9	Certificates of CA (Form 3) *	This project's documents are on desk for scrutiny, can not be modified
	10	Certificates of CA (Form 5)	This project's documents are on desk for scrutiny, can not be modified
	11	Certificates of Engineer (Form 2) *	This project's documents are on desk for scrutiny, can not be modified
	12	Commencement Certificates	This project's documents are on desk for scrutiny, can not be modified

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# Promoter Registration - Project Details

## Step 13

In Step 13, professional details about the project such as details of Real estate agent, architect etc to be added in “Project Professional”

The screenshot displays the MHARERA web portal interface. The header includes the MHARERA logo and the text "Maharashtra Real Estate Regulatory Authority". The sidebar on the left contains navigation options, with "Add Project Professional Details" highlighted in a green box. The main content area is titled "Project Professional" and shows a dropdown menu for "Project" set to "Tet New Project". Below this, there are buttons for adding different types of professionals: "- Real Estate Agent", "+ Contractor", "+ Architect", "+ Structural Engineer", and "+ Other". A table is present with columns for "Sr. No.", "Registration No.", "Name", "Address", "Aadhaar No.", "Contact No.", and "Action". The table has one row with empty input fields and a "+" button in the "Action" column.

MAHARERA

Welcome,  
Pro3

Account

Project Details

- Add Project
- Add Buildings
- Common Areas and Facilities
- Add Project Cost
- Document Upload
- Add Project Professional Details**
- Add Litigations Related to the Project
- Task/Activity
- Application Withdrawal

Maharashtra Real Estate Regulatory Authority

Project Professional

Project: Tet New Project

- Real Estate Agent

Sr. No.	Registration No.	Name	Address	Aadhaar No.	Contact No.	Action
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input data-bbox="1709 878 1748 906" type="button" value="+"/>

+ Contractor

+ Architect

+ Structural Engineer

+ Other

# Promoter Registration - Project Details

## Step 13

In Step 13, professional details about “Architect” are mandatory

**MAHARERA**

Welcome, Pro3

Account

Project Details

- Add Project
- Add Buildings
- Common Areas and Facilities
- Add Project Cost
- Document Upload
- Add Project Professional Details**
- Add Litigations Related to the Project
- Task/Activity
- Application Withdrawal

Maharashtra Real Estate Regulatory Authority

### Project Professional

Project: Tet New Project

+ Real Estate Agent

+ Contractor

**- Architect**

+ Structural Engineer

+ Other

Sr. No.	Name	Address	Aadhaar No.	Contact No.	Action
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	+
1	asd	asd	455464564564	6456456456	

# Promoter Registration - Project Details

## Step 14

In Step 14, the promoter adds litigations related to the project, if any by clicking on “Add Litigations Related to the Project” under Project Details. After all the details are entered, click on “Add”

The screenshot displays the MHARERA portal interface. On the left, a sidebar menu shows the 'Project Details' section expanded, with 'Add Litigations Related to the Project' highlighted in green. The main content area is titled 'Litigations Related to the Project' and contains the following form fields:

- Project Name:** A dropdown menu with 'Select Project' as the current selection.
- Name of the Court\*:** A text input field.
- Type Of Case\*:** A dropdown menu with 'Select Case Type' as the current selection.
- Petition\*:** A dropdown menu with 'Select Petition' as the current selection.
- Case Number\*:** A text input field.
- Year\*:** A dropdown menu with 'Select Year' as the current selection.
- Whether any Preventive/Injunction/Interim Order is Passed\*:** Radio buttons for 'Yes' and 'No'.
- Present Status\*:** A text input field.
- Upload Case Related Document\*:** A 'Choose File' button and the text 'No file chosen'.

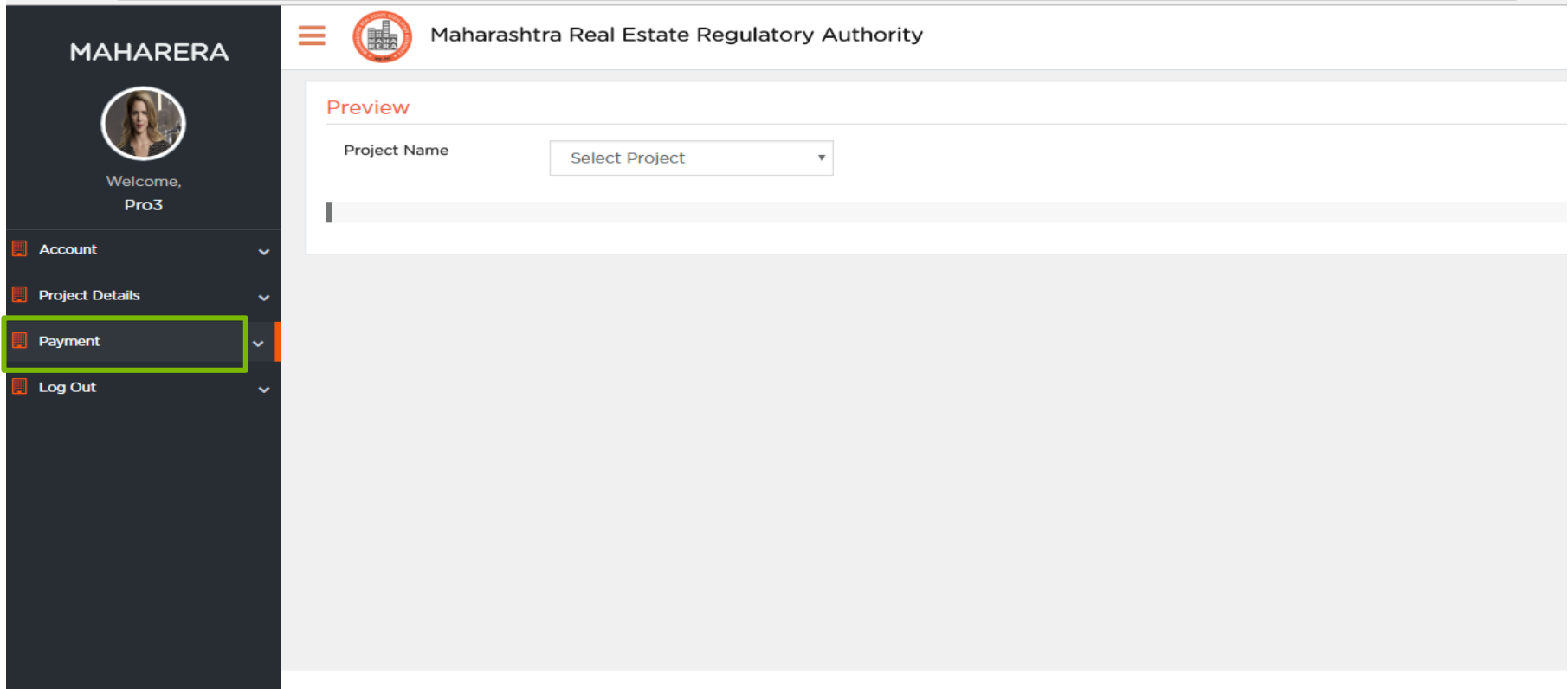
A blue 'Add' button is located at the bottom left of the form, also highlighted with a green border.



# Promoter Registration - Project Details

## Step 15

In Step 15, the promoter can then click on the “Payment tab” under “Project Details” and make payment through **NEFT/RTGS**. First the Promoter needs to select the Project Name




The screenshot displays the user interface of the Maharashtra Real Estate Regulatory Authority (MaharERA) portal. On the left, a dark sidebar contains the logo 'MAHARERA' and a user profile picture. Below the profile, the text 'Welcome, Pro3' is visible. The sidebar menu includes 'Account', 'Project Details', 'Payment' (highlighted with a green border), and 'Log Out'. The main content area features the MaharERA logo and name at the top. Below this, a 'Preview' section contains a 'Project Name' label and a dropdown menu with the text 'Select Project'.

# Promoter Registration - Payment

## Step 15


All the details entered by the Promoter can be seen in a Preview mode

**MAHARERA**



Welcome,  
Pro3

- Account
- Project Details
- Payment**
- Log Out



Maharashtra Real Estate Regulatory Authority

### Preview

Project Name

---

### General Informationn

Information Type

---

### Individual

First Name	Middle Name	Last Name	PAN Number
test	test	test	TESTT1234A
Father Full Name	Aadhar Number		
test	345745405458		

---


### Address For Official Communication

House Number	Building Name	Street Name	Locality
23	anand	street1	mumbai
Landmark	State	Division	District

# Promoter Registration - Payment

## Step 15

In Step 15, once the Promoter clicks on Payment, he/she can enter the mode of Payment such as Net Banking, Credit/Debit Card etc. He/she selects the mode and makes Registration payment

Net Banking	Credit/Debit Card	IMPS	Wallet	UPI
<ul style="list-style-type: none"><li>Rs 5 for transaction amount up to Rs. 500</li><li>Rs 10 per transaction for payment from 500 and above.</li></ul> <b>Pay Gov India (All Major Banks), NDML for Govt. of India</b> 				<b>Pay Gov India (All Banks)</b> ▶
<ul style="list-style-type: none"><li>Rs.5 for per transaction payment</li></ul>				<b>ICICI Net Banking</b> ▶
<ul style="list-style-type: none"><li>Rs 2.5 for per transaction payment</li></ul>				<b>Yes Bank Net Banking</b> ▶
<ul style="list-style-type: none"><li>Rs 2.5 for per transaction payment</li></ul>				<b>SBI e Pay</b> ▶
<ul style="list-style-type: none"><li>INR 3/- (For all banks)</li></ul> 				<b>Paytm</b> ▶
<ul style="list-style-type: none"><li>Rs.5 per transaction for payment up to Rs.500</li><li>Rs. 10 per transaction for payment from 500 and above.</li></ul>				<b>TOM Bank Net Banking</b> ▶

# Fees for Registration of projects

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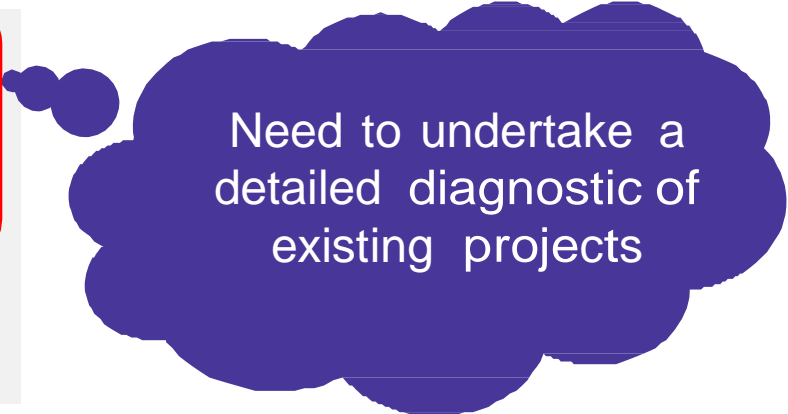
- After mentioning all the details as discussed earlier, the promoter can register their project after paying the fees.
- **Project Registration fee**
  - Project registration fee is **Rs. 10 per square meter of land** or **minimum of Rs. 50,000** only and **maximum up to Rs. 10,00,000** only.
  - Can pay the registration fee NEFT or RTGS System or any other digital transaction mode.
- **Fee for application for the time extension of Real Estate Project**
  - A developer can apply for the time extension for the completion of his real estate project by paying fees for extension.
  - Fees for time extension is the same as fees for project registration.

# Registration of new and existing projects

---

## Additional details for existing projects

- Current status of project and the extent of completion.
- Carpet area of all the units in the project even if earlier sold on any other basis such as super area, carpet area, built-up area etc.
- In case of plotted development, area of the plot being sold to the allottees.



Need to undertake a detailed diagnostic of existing projects

***Projects which have not received 'Completion Certificate' on the date of commencement of the Act, need to get registered with RERA***

# RERA will have power to scrutinize the application

## Additional power of RERA

- RERA may review the following documents submitted by a promoter:
  - Nature of rights and interests of the promoter to the land
  - Extent and location of area of land proposed to be developed
  - Layout of the project
  - Financial, technical and **managerial capacity** of the promoter to develop
  - Plan regarding the development works to be executed in the project
  - **Conformity of development of the project with neighboring areas**

Requires clarity as managerial capacity is a subjective assessment

Requires further clarity

***A second level scrutiny as the same is being done by local development authorities***

# Issues and nuances for Project Registration

# Issues and nuances for Project Registration

---

- Definition of Project to be registered – Single tower, Multiple towers etc.
- Determination of Land Area allocable to the respective tower to be registered in case of a layout project .
- Estimation of Project Cost – Various factors to be considered – Escalations, Contingencies, Future regulatory fees (eg. BMC fees) etc.
- Allocation of cost already incurred to respective towers in case of layout project.
- Allocation of cost on case of SRA project involving Rehab building and sale building.
- ***Land owners and JDA partners to be considered as “Promoters”***
- ***Society to be considered as a Co-promoter in case of a redevelopment project.***
- Ensure appropriate disclosures in agreement for sale as well as details to be uploaded at the time of registration to overcome penalty exposure.



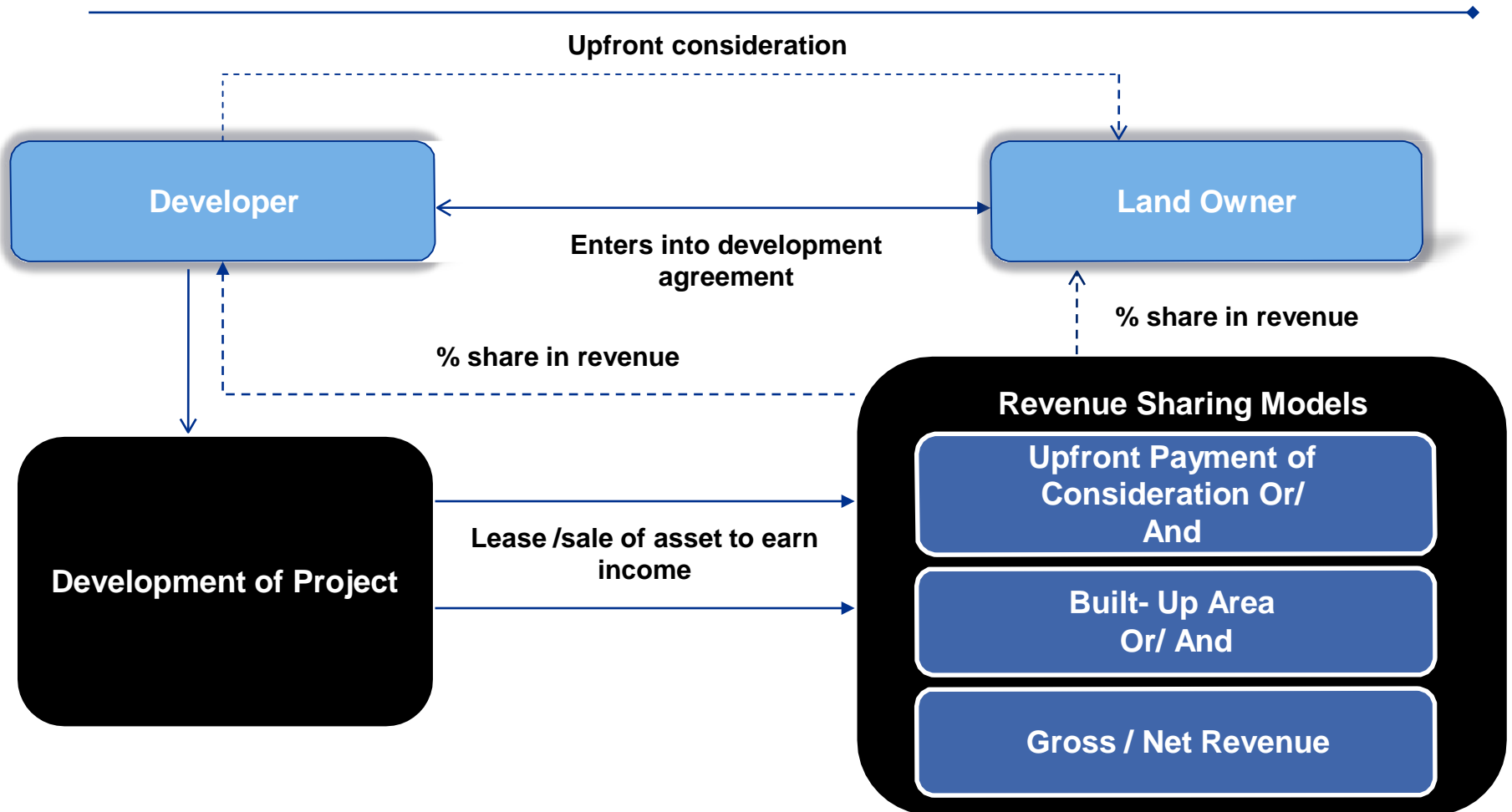
# Issues and nuances for Project Registration

---

- Allocation of Land Cost in case of layout and large developments
- Allocation of costs for common amenities and Infrastructure
- Allocation of off-site costs to various projects
- Which method of accounting to be followed – cash or mercantile?
- Meaning of Incurred – to be applied prudently
- Payment of fungible premium in case of layout and large developments
- Allocation of costs in case of Parking Projects registered separately or shown as common areas
- Allocation of cost of Public Parking in case of layout projects
- Marketing cost of acquisition of land/projects – whether covered as land cost?
- Circulars and Clarifications issued by RERA Authorities should be applied blindly? Will it survive if beyond the Act and Rules?
- Amount withdrawn to be utilized **Only** for the Project – Can it be utilized for purchase of land for other projects
- ~~Meaning of On-site and Off-site costs – not reflected in certificate~~

# Joint Development Arrangements

# Joint Development Arrangements- Mechanism



# Clarification on Joint Development Arrangements

---

- Promoter now includes any person(s) or organization(s) who, under any agreement or arrangement with the promoter of a Real Estate Project is allotted or entitled to a share of total revenue generated from sale of apartments or share of promoters shall be as per the agreement or arrangement with the Promoters, however for withdrawal from Designated Bank Account, they shall be at par with the Promoter of the Real Estate Project.”

- Following implications would result on account of the above –
  - ✓ The Investors and/or Land-owners, as the case may be, having an arrangement with the Developer will also fall into the ambit of the 70:30.
  - ✓ Details of the Promoter to be provided at the time of registration with MahaRERA and a copy of the agreement and arrangements should be uploaded on the website as well.
  - ✓ Existing JDA arrangements (mainly with revenue share or profit share arrangement) will need to be revisited.

# Joint Development Arrangements- Issues

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- **In case of Revenue Share arrangement**

- Whether a single RERA Account required OR two separate account required?
- Whether separate CA Certificates to be obtained by the Promoter?
- How to apply and compute POCCM?
- What would be the costs for the Promoter?

- **In case of Area Share arrangement**

- Whether separate CA Certificates to be obtained by the Promoter?
- How to apply and compute POCCM?
- What would be the costs for the Promoter?

- Whether this Clarification will apply to Investors?

- Whether this clarification applies to Construction Companies jointly developing projects and sharing revenues/areas?

# Offences and Penalties

# Offences and Penalty

Provision	Promoter	Agent	Allottee
<b>Non-registration of project/agent with RERA and continue to do so</b>	Up to 10% of the estimated project cost	Penalty of INR10,000 per day during default tenure up to 5% of property cost	
<b>False information while making an application to RERA</b>	Up to 5% of the estimated project cost		
<b>Contravention of any provisions of the Act (other than stated above)</b>	Up to 5% of the estimated project cost	Up to 5% of the property cost	
<b>Non-compliance with the order of RERA</b>	Daily penalty up to 5% of the estimated project cost	Daily penalty up to 5% of property cost	Daily penalty up to 5% of property cost
<b>Non-compliance with the order of the Appellate Tribunal</b>	Up to 10% of project cost	Up to 10% of property cost	Up to 10% of property cost

# Certification by a Chartered Accountant under RERA



# CA's Certificate- Form 3

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- The CA's certificate has to be issued in Form 3 as prescribed per MahaRERA regulations.
- The Certificate contains the details (Both Estimated as well as Actual) of-
  - Land Cost, Development Cost,
  - Total Estimated Cost and actual Cost incurred
  - Percentage completion of the work (as per Architects Certificate)
  - Percentage of Cost incurred to estimated costs
  - Withdrawable amount from the designated bank account after considering the amount already withdrawn till date.
- For ongoing projects
  - Estimated Balance Cost
  - Balance amount of receivables from the sold apartments
  - Estimated amount of sales proceeds in respect of unsold Apartments based on ASR Rate (Ready Reckoner Rate)
  - Amount to be deposited in the bank account.
- The CA has to attach his workings as per prescribed format as per MahaRERA (i.e. ~~Annexure A to Form 3~~).

### Form 3

#### Chartered Accountants Certificate (on the Letter head)

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

**Cost of Real Estate Project MahaRERA Registration Number**

Sr. No.	Particulars	Amount	
		Estimated Amount	Actual Amount
<b>A</b>	<b>Land Cost</b>		
a	<u>Acquisition Cost of Land</u> or Development Rights, lease Premium, lease rent, interest cost <u>incurred</u> or payable on <u>Land Cost</u> and legal cost	XXXX	
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; and		
e	Land Premium payable as per annual statement of rates (ASR) for redevelopment of land owned by public authorities		

# Clarification on the term Acquisition Cost

---

- To determine the Fair Market Value of the Acquisition Cost of Land or Development Rights in the Real Estate Project, the Acquisition cost shall be the 'Indexed cost of Acquisition'.
- The indexed cost of acquisition shall mean an amount which bears to the cost of acquisition the same proportion as Cost inflation Index for the year in which the Land or Development Rights or Lease Rights in the Real Estate Project is registered or the year in which the first commencement certificate is issued in respect of such land , whichever is earlier, bears to the Cost inflation index for the first year in which such Land or Development Rights or Lease Rights in the Real Estate Project was owned or held by the developer.
- Where the Land or Development Rights or Lease Rights became property of the developer or became available to the developer before 1st day of April 2001, the Cost of Acquisition would mean the ASR value of such land or such Land or Development Rights or Lease Rights in the in the Real Estate Project is owned or held by the Developer shall be taken as 1st April, 2001.”

**- MahaRERA Circular No. 7/2017 dated 4 July 2017**

# Clarification on the term “Incurred”

---

The expression incurred would mean amount of product or service received creating a debt in favor of a seller or supplier and shall also include the amount of product or service received against payment.

- MahaRERA Circular No. 7/2017 dated 4 July 2017

# Clarification on the term Cost of Land

---

- With respect to an Ongoing Project, at the time of registration of the Real Estate Project, the Estimated Land Cost and Development Cost/ Cost of Construction to be certified as per Form 3 of the General Regulations of MahaRERA, shall be for the cost of the real estate project, since its inception and not the balance estimated land cost/ Cost of construction to complete the project.
- That is the total incurred cost of the real estate project shall be the aggregate of the incurred land cost and development cost/ cost of construction of the project, since its inception till the date of the issuance of the certificate and the estimated Land Cost and Development Cost/ Cost of Construction shall be for the entire project from the inception till completion.
- Also in respect of an Ongoing Project, in the first certificate to be issued by a Chartered Accountant at the time of registration and for the first withdrawal post registration, at clause 7 of the Form 3, the “Amount withdrawn till date of this certificate as per Books of Accounts and bank Statement” shall be the lower of-
  - ✓ 100% of the amount received towards consideration of the sale of the apartment of the Real Estate Project till date of Registration **or**
  - ✓ “amount of project cost incurred as reflected at clause number 3 of the certificate of chartered accountant issued (Form no. 3) at the time of registration.

**- MahaRERA Circular No. 7/2017 dated 4 July 2017**

# Clarification on Borrowing Cost

---

The Acquisition Cost shall also include the amount of interest incurred on the borrowing done specifically for the purchase of Land, or Acquiring development Rights or Lease Rights.

**- MahaRERA Circular No. 7/2017 dated 4 July 2017**



Sr. No.	Particulars	Amount	
<b>A</b>	<b>Land Cost</b>	<b>Estimated Amount</b>	<b>Actual Amount</b>
f[i]	<p>Estimated construction <b>cost of rehab building</b> including site development and infrastructure for the same as certified by Engineer</p> <p>Actual Cost of construction of rehab building incurred as per the books of accounts as verified by the CA</p>		
f[ii]	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		
f[iii]	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		

# Cost of Rehabilitation Scheme

---

- Cost under the Rehabilitation Scheme or Construction Cost of Rehabilitation buildings shall include cost incurred for construction of construction Area, which is to be handed over to-
  - ✓ Slum dwellers under the Slum Rehabilitation Scheme
  - ✓ Tenants under the redevelopment of tenanted Premises
  - ✓ Apartment owners of the building which is under redevelopment and who are to be provided with an alternative accommodation
  - ✓ Government or Concessionaire in Public Private Partnership Projects
  - ✓ Appropriate Authority under various schemes under the development regulations
- All amounts payable to slum dwellers, tenants, apartment owners or Appropriate authority or Government or concessionaire which are non refundable and incurred as cost and expense of such rehabilitation scheme shall be allowed as part of Land Cost under the clause 1(i)(f)(iii) or 1 (i)(f)(iv) of the Form 3 under General Regulation 3 of MahaRERA. For Example, maintenance deposits, corpus amount, concession premium or fees, shifting charges to name a few.
- The amount of interest incurred on borrowing done specifically for the construction of rehabilitation component in rehabilitation scheme shall be included in the interest payable to the financial institutions etc.( under the head of Land Cost (under Clause 1(i)(a) of Form 3 of General Regulation s 3 of MahaRERA)

**- MahaRERA Circular No. 7/2017 dated 4 July 2017**





<b>B</b>	<b><u>Development Cost/ Cost of Construction</u></b>	<b>Estimated Amount</b>	<b>Actual Amount</b>
a[i]	Estimated Cost of Construction as certified by Engineer		
	Actual Cost of construction incurred as per the books of accounts as verified by the CA		
a[ii]	On-site expenditure for development of entire project excluding cost of construction as per a(i) above, i.e. salaries, consultants fees, site overheads, cost of services (including water, electricity, sewerage), cost of machineries and equipment including its hire and maintenance costs, consumables etc. All costs directly incurred to complete the construction of the buildings /wings of the project registered		

# Clarification on the term Development Costs

---

- All the cost items should be mutually exclusive. There should not be any double counting of costs.
- The Development Cost / Cost of Construction of the project **should not include marketing and brokerage** expenses towards sale of apartments. Such expenses, though part of the project cost should not be borne from the amount that is required to be deposited in the designated separate account.
- - **MahaRERA Circular No. 5/2017 dated 28 June 2017**



<b>B</b>	<b>Development Cost/ Cost of Construction</b>	<b>Estimated Amount</b>	<b>Actual Amount</b>
B	Payment of Taxes, cess, fees, charges, premiums, interest etc to any statutory Authority		
C	Principal sum and interest payable to financial institutions, scheduled banks, non-banking financial institution (NBFC) or money lenders on construction funding or money borrowed for construction		
	<b>Total Cost of Real Estate Project(A+B)</b>	<b>0</b>	<b>0</b>

**Total Estimated Cost of the Real Estate Project**

**[1(i) + 1(ii)] of Estimated Column**

**Total Cost Incurred of the Real Estate Project [1(i) + 1(ii)] of Incurred Column**

**% completion of Construction Work %**

**(as per Project Architect's Certificate)**

**XX%**



# Clarification of Percentage Completion

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- Clause 4 of Form 3 of the general Regulations of MahaRERA, refers to percentage completion of construction work as per Project Architect's Certificate.
  - This clause shall be required to be filled only in final certificate when 100% of the construction work has been completed. In all the prior certificates, this field is not mandatory to be filled and certified by Chartered Accountant, as this information is been detailed in Form 1 provided by Architect.
- MahaRERA Circular No. 7/2017 dated 4 July 2017**



# Clarification on Taxes

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- The indirect taxes collected by the promoter from the Allottees in the Nature of GST/Service Tax / Vat can also be deposited in a bank account **other than the Separate Bank account** and shall be dealt with as per the Statute governing such indirect taxes.
- - **MahaRERA Circular No. 7/2017 dated 4 July 2017**



# Clarification on Increase in Construction Cost

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- The increase in construction cost due to execution of extra/additional items as certified by the engineer in Annexure A of Form 2 of the General Regulation of the MahaRERA, shall be allowed to included in the on-site Expenditure for development of entire site etc. under clause 1(ii)(a)(iii) of Form 3 of the General Regulation 3 of MahaRERA .
  - Annexure A is a part of the Engineer's Certificate that specifies any expenditure that has been incurred and was not estimated to be incurred.
- MahaRERA Circular No. 7/2017 dated 4 July 2017**



# Clarification on Balance Receivables


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- The third proviso to Section 4(2)(1)(d) of RERA read with Regulation 4(a) of the Regulations requires the promoter to get his accounts audited within six months after the end of every financial year by the statutory auditor of the Promoter's enterprise, and produce report on the statement of accounts on project fund utilization and withdrawal by Promoter in Form-5 in accordance with General Regulation of MahaRERA.
  - Since the report is to be prepared under third proviso to section 4(2)(1)(d) of RERA, the said certificate is only in respect of the amount to be deposited and withdrawn from the Separate bank Account.
  - Thus Chartered Accountant is required to certify that Promoter has utilized 70% of the amount collected for the project only and not for the entire amount collected by the project.
  - However, it may be 100% of the balance receivables from the Allottees in case of an Ongoing Project, where the proviso to Rule 5(1)(ii) applies. The Chartered Accountant shall further certify that the withdrawal from the Separate Bank Account of the said project has been in accordance with the proportion to the percentage of completion of the project.
- MahaRERA Circular No. 7/2017 dated 4 July 2017**



# Additional Information for Ongoing Projects

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1. Estimated Balance Cost to Complete the Real Estate Project (Difference of Total Estimated Project cost less Cost incurred ) (calculated as per the Form IV)
2. Balance amount of receivables from sold 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 Unsold 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 unsold apartments (calculated as per ASR multiplied to unsold area as on the date of certificate, to be calculated and certified by CA) 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 of the balance receivables of ongoing project will be deposited in designated Account %



# Annexure A to Form 3

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Statement for calculation of Receivables from the Sales  
of the Ongoing Real Estate Project  
**Sold Inventory**

Sr. No.	Flat No.	Carpet Area (in sq.mts.)	Unit Consideration as per Agreement /Letter of Allotment	Received Amount	Balance Receivable

# Annexure A to Form 3

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## Unsold Inventory Valuation

Ready Recknor Rate as on the date of Certificate of the Residential /commercial premises INR XXX per sm.

Sr. No.	Flat No.	Carpet Area (in sq.mts.)	Unit Consideration as per Read Reckoner Rate (ASR)

# Clarification on Principal and Interest

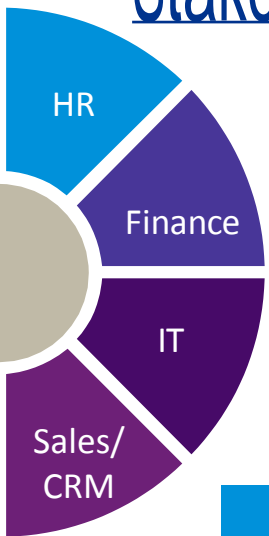
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- While Uploading Details of the **Project cost** on the website at the time of registration, in the '**project cost**' Tab, list of Values , wherein "Principal sum and interest payable" is sought, the Principal Sum of the Loan shall not be entered and **only interest shall be uploaded**.
  - However, in the certificate to be issued by Chartered Accountant, as per Form 3 of the General Regulation of MahaRERA, the principal sum of Loan shall be reflected in the brackets and shall not be added in the Sub-total of Development Cost.
- MahaRERA Circular No. 7/2017 dated 4 July 2017**



# Best Practices and Way Forward

# RERA Alignment Required Across the Company & With All Stakeholders



**Information being made public under RERA can expose promoters to greater risks not just under RERA but under all regulations** – Need for stronger focus on compliance, additional controls on RERA updates, focused handling of customer voice on social media and customer support etc

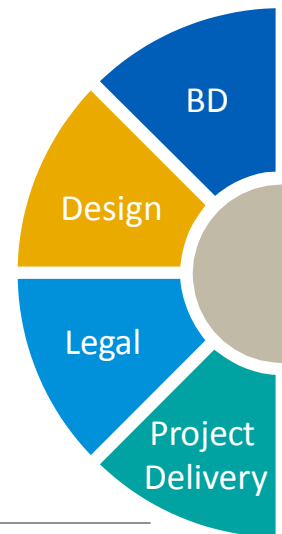
You will be held accountable for perceived project features communicated visually, verbally or in writing, **How would you control verbal communications and second level marketing by brokers/ sub brokers?** – include required clauses in broker, employee contracts, customer agreements, stronger sales validation process, clear dos & don'ts on content creation etc



**Re aligning of your sales strategies, revamp of sales channels** – Need for one time review of sales channels to ensure brokers/ agents have capability of being RERA compliant, develop internal sales capabilities if heavy reliance is placed on brokers/ agents, sales launch of only approved projects - No pre launch activities to gauge market sentiments etc

**You commit what you want to do and build enough disclaimers for protection** – The act requires you to disclose proposed construction plans, what disclaimers should be built in to protect you in case of future change of plans.

Controls to ensure committed quality is delivered & mandate is also obtained for upsell.



**Enhance team capabilities to handle mature processes** – Finalization of project designs to ensure minimum alternations, Project planning to provide accurate time and cost estimates, strong cash flow planning to support an elongated process of withdrawals

# Paradigm Shift in Business and Operating Model

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## What is Required To Be Done

Re-define business strategies keeping the RERA changes in mind

Review impacted processes to introduce new controls

Plan technological requirements & changes

Develop RERA disclaimers for all communications types and documents

Revise existing documents/ communication templates

Onetime review of website & social media

Define new roles & responsibilities

Realign Delegation of Authority for exception handling

Relook at existing TATs/ SLAs

New documentation, storage and retrieval processes

Introduce stronger quality/ compliance monitoring

Implement revised processes & train impacted departments

# HAPPY RERA Journey together ....

## CA Vyomesh Pathak

The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

This document is meant for e-communications only