



महाराष्ट्र शासन राजपत्र

भाग चार-क

वर्ष ५, अंक ३३]

गुरुवार ते बुधवार, ऑक्टोबर १०-१६, २०१९/अश्विन १८-२४, शके १९४१

[पृष्ठे १७

[किंमत : रुपये ६.००]

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाव्यतिरिक्त इतर वैधानिक प्राधिका-यांनी तयार केलेले (भाग एक, एक-अ व एक-ल यांमध्ये प्रसिद्ध केलेले वैधानिक नियम व आदेश यांव्यतिरिक्त इतर) वैधानिक नियम व आदेश ; यात भारत सरकार, उच्च न्यायालय, पोलीस आयुक्त, आयुक्त (राज्य उत्पादन शुल्क), जिल्हादंडाधिकारी व निवडणूक आयोग, निवडणूक न्यायाधिकरण, निवडणूक निर्णय अधिकारी व निवडणूक आयोगाखालील इतर प्राधिकारी यांनी तयार केलेले वैधानिक नियम व आदेश यांचा समावेश होतो.

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

'A' Wing, Slum Rehabilitation Authority Building,
Prof. Anant Kanekar Road, Bandra (East),
Mumbai 400 051 dated 3rd October 2019

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY (GENERAL) (AMENDMENT) REGULATIONS, 2019

Whereas, Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, rates of interests and disclosures on website) (Amendment) Rules, 2019 were issued by Government of Maharashtra on 6th June 2019. Therefore, in consonance with amendment in Rules, it was felt necessary to amend the Maharashtra Real Estate Regulatory Authority (General) Regulations 2017.

In exercise of the powers conferred on it under sub-sections (1) and clause (i) of sub-section (2) of Section 85 of the Real Estate (Regulations and Development) Act, 2016 and of all other powers enabling it in that behalf, the Maharashtra Real Estate Regulatory Authority, hereby makes the following Regulations to amend the Maharashtra Real Estate Regulatory Authority (General) Regulations 2017, namely:

1. *Title and Commencement* :— (1) These regulations may be called the Maharashtra Real Estate (Regulatory Authority (General) (Amendment) Regulations 2019.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. *Principal Regulations* .— These regulations amend the Maharashtra Real Estate Regulatory Authority (General) Regulations 2017 (hereinafter referred to as the principal regulations).

3. In regulation 2 of the Principal Regulations, in clause (a), after sub-clause (v), the following sub-clause shall be inserted, namely :—

(v-a) “incurred” means amount of product or service received , creating a debt in favour of a seller or supplier and shall also include the amount of product or service received against the payment.

4. In regulation 3 of the Principal Regulations, the words “and submitted to the banks” shall be omitted.

5. After Regulation 3, the following regulations shall be inserted, namely:—

“3A. In order to ensure quality of materials and workmanship being used on the project, an Engineer who supervises the work should submit Quality Assurance Certificate in Form 2A. This form shall be submitted at end of every financial quarter. This Form is applicable to projects registered after 1st December 2018 only.

3B. For plotted development projects, in Forms 1, 2, 2A, 3 and 4 only the relevant sections shall be applicable. The model form of agreement for Plotted Development projects, under Rule 10 of Maharashtra Real Estate (Regulation and Development) (Registration of real estate projects, Registration of real estate agents, rates of interest and disclosures on website) Rules, 2017 is provided as Annexure-B

Further, in case of plotted development projects, wherever IOD / Building Plan approval is not provided as per local rules, then NA Order from competent authority for plotted development shall suffice. Similarly, wherever Occupation Certificate / Completion Certificate is not provided as per local rules, submission of duly filled Form 4 signed by Architect shall denote completion of project.”

6. In regulation 4 of the Principal Regulations, in clause (a), after the words “promoter’s enterprise.”, the following shall be inserted namely :—

“ The said certificate is only in respect of the amount to be deposited and withdrawn from the separate Bank Account. 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.”

7. In Form -2 of the Principal Regulations,—

(1) The words “(License No.)” shall be deleted.

(2) In table B, the word “layout” to be replaced with “project”.

(3) In Annexure A, the following explanation shall be inserted, namely :—

“ *Explanation 1.*— The increase in construction cost due to execution of extra/additional items as certified by the Engineer in Annexure A, shall be allowed to be added in Form 3”.

8. After Form 2, Form 2A shall be added, in accordance with format annexed at **Annexure - I**.

9. The Form 3 in the Principal Regulations shall be substituted in accordance with format annexed at **Annexure - II**.

10. In Form 5, the words “Membership No.” shall be replaced by “UDIN No. and Membership Number”.

11. In Regulation No. 36 of the Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017,—

(i) In clause (a) for the words "the Authority" the words "the Authority or Adjudicating Officer" shall be substituted ;

(ii) In clause (c) for the words "The Authority" the words "The Authority or Adjudicating Officer" shall be substituted.

(iii) In clause (d) for the words "The Authority" the words "The Authority or Adjudicating Officer" shall be substituted.

(iv) In clause (e) for the words "The Authority" the words "The Authority or Adjudicating Officer" shall be substituted.

12. The modal form of Agreement for plotted development shall be in accordance with format annexed at **Annexure - III**.

Annexure - I**FORM-2A**

[see Regulation 3A]

ENGINEER'S CERTIFICATE FOR QUALITY ASSURANCE

(site supervisor's certificate)

(To be uploaded quarterly)

To,

The (Name and address of Promoter),

Quality Assurance Certificate

(Certificate No. for the quarter ending

Subject : Certificate for quality of materials used and quality of Construction and workmanship for the Work of No. of Building(s)/ Wings(s) of the Phase of the project situated on the plot bearing C. S. No./C.T.S 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. mtrs. area being developed by

[Promoter's Name]

Reference: MahaRERA Registration Number P.....

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 authorized laboratory and to ensure quality of work and workmanship as per prescribed specifications, and as per NBC and or other relevant code of practice.

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 24301:1986 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 codes 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.