



Gujarat Real Estate Regulatory Authority

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No: GujRERA/order-18

Date-18th December 2018

The Real Estate (Regulation and Development) Act, 2016 (hereinafter referred as RERA Act), is in effect from 1st May, 2017. As per Section - 17 of the RERA ACT, 2016, the promoter shall execute a registered conveyance deed in favour of the allottee along with the undivided proportionate title in the common areas to the association of the allottees or the competent authority, as the case may be, and handover the physical possession of the plot, apartment of building, as the case may be, to the allottees and the common areas to the association of the allottees or the competent authority, as the case may be, in a real estate project, and the other title documents pertaining thereto within specified period as per sanctioned plans as provided under the local laws.

Through Order-13 of the RERA authority directions had been given that as per the requirement of section -17 of The Real Estate (Regulation and Development) Act, 2016 the association of allottees has to be formed under the Gujarat Co-operative Society Act 1961. It cannot be formed as a Company or LLP.

In the view of the representations regarding hardship in compliance, according to order-13, after due consideration, the Gujarat RERA issues the following order;

ORDER-18

Read with the Gujarat Real Estate (Regulation and Development) (General) Rules, 2017 Rule 9 and para (9) of draft Agreement for sale and as per the requirement of Section-17 of the Real Estate (Regulation and Development) Act, 2016 the association of allottees could be formed by way of Society under Gujarat Co-operative Society Act 1961 or as a Company under Section 8 of the Companies Act 2013.



CHAIRMAN

Dr. Amarjit Singh

Gujarat Real Estate Regulatory Authority