

“RERA”
(Real Estate Regulatory Act)
&
Forms 5 – RERA Audit in MH



CA Amit A. Mohare

M.Com., F.C.A.

amit@aamco.in

The MahaRERA (General) (Amendment) Regulation, 2021

List of Amendments –

Sr	Subject	Date	PDF
1	MahaRERA General Regulations 2017	24/04/2017	
2	MahaRERA General (Amendment) Regulations 2017	11/10/2019	
3	MahaRERA General (Second Amendment) Regulations 2019	31/10/2019	
4	MahaRERA General (Second Amendment) Regulations 2021	22/12/2021	

Amendment in Form 3

Chartered Accountant Certificate

- Subject clause certifying financial progress of work.
- Issued for RERA Compliance
- Tabular format of information (Total 7 Tables)
- Deposits, Withdraws and Utilisation Certification
- Counter Signature of Promoter

Form 3 – Table A – Estimated cost of the project

- Separate table for estimated cost
- At the time of registration of project subject to change
- Only estimated cost of construction by engineer to be mentioned
- Provision for cost incurred for additional items as per table A & B of engineer certificate
- Pass through charges / indirect taxes excluded
- Can be revised through correction application
- Absorbed cost of machineries & equipment

Form 3 – Table B – Actual cost of the project

- Separate table for actual cost
- Minimum of actual cost of construction by engineer or CA to be mentioned
- Provision for cost incurred for additional items as per table A & B of engineer certificate
- Pass through charges / indirect taxes excluded
- Absorbed cost of machineries & equipment

Form 3 –

Table C – Statement for calculation of receivables

- Statement for calculation of receivables
- Sold inventory
- Unsold inventory
- Pass through charges / indirect taxes excluded from unit consideration

Form 3 –

Table D – Comparison between balance cost & receivables

- Estimated balance cost to complete
- Balance amount of receivables – sold apartments
- Estimated unsold sales
- Total estimated receivables
- 70% / 100% check
- Applicable for all projects

Form 3 –

Table E – Designated Bank Account Details

Sr	Particulars	Designated Bank Account Details Actual Amount till date (From Start of bank account to till date)
1	Opening Balance	
2	Deposits	
3	Withdrawals	
4	Closing Balance	

Form 3 – Table F – Means of Finance

Sr	Particulars	Estimated/ Proposed/ Actual
1	Own Funds	
2	Total Borrowed Funds (Secured) - Drawdown availed till date	
3	Total Borrowed Funds (Unsecured) - Drawdown availed till date	
4	Customer receipts used for project	
5	Total Funds for project	
6	Total Estimated Cost (As per Table A)	

Form 3 – Table G – Any Comments / Observations

- Any exceptions in land cost and construction cost
- Any discrepancy in bank account operations
- Sold & unsold inventory
- Pass through charges / indirect taxes included in unit consideration
- Deposit & Utilisation of customer receipts
- Other exceptions related to project

Amendment in Form 5

Chartered Accountant Audit Report

- Subject clause certifying Deposits, Utilisation and Withdraws.
- Tabular format of information (Total 4 Tables and 2 Sub-tables)
- Shortfall Deposit Amount to be provided.
- Datewise details of excess withdrawals to be provided.
- Datewise details of non-utilisation fro project cost to be provided.
- Counter Signature of Promoter

RERA DESIGNATED BANK ACCOUNT

LEGAL PROVISION

Section 4(2)(1)(D) of the Act reads as under

1) a declaration, supported by an affidavit, which shall be signed by the promoter or any person authorised by the promoter, stating:—

A.;

B.;

C.;

D. that seventy per cent. of the amounts realised for the real estate project from the allottees, from time to time, shall be deposited in a separate account to be maintained in a scheduled bank to cover the cost of construction and the land cost and shall be used only for that purpose:

RERA DESIGNATED BANK ACCOUNT

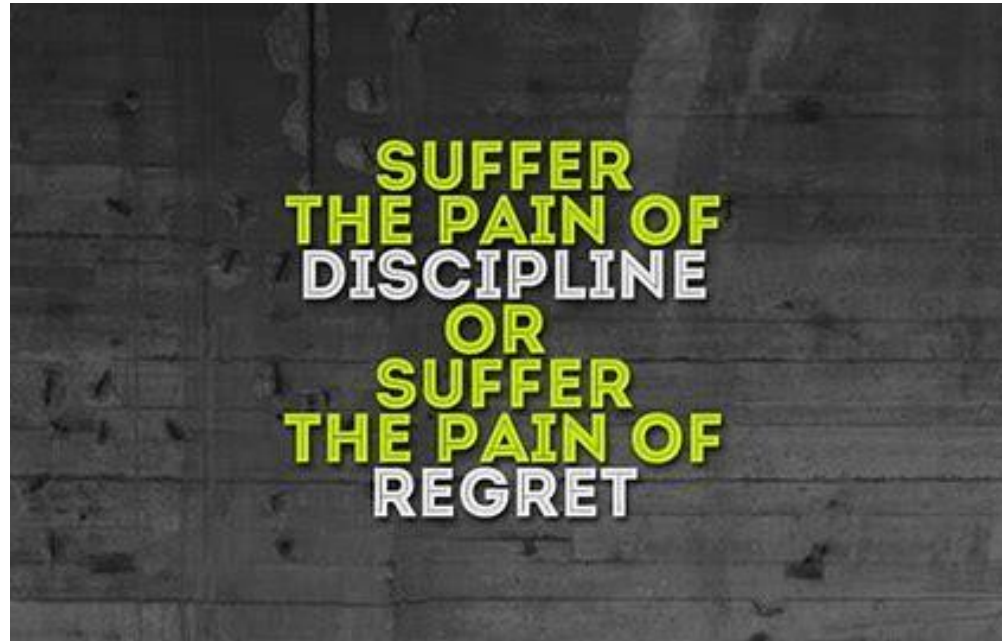
Provided that the promoter shall withdraw the amounts from the separate account, to cover the cost of the project, in proportion to the percentage of completion of the project:

Provided further that the amounts from the separate account shall be withdrawn by the promoter after it is certified by an engineer, an architect, and a chartered accountant in practice that the withdrawal is in proportion to the percentage of completion of the project:

RERA DESIGNATED BANK ACCOUNT

Provided also that the promoter shall get his accounts audited within six months after the end of every financial year by a chartered accountant in practice and shall produce a statement of accounts duly certified and signed by such chartered accountant and it shall be verified during the audit that the amounts collected for a particular project have been utilised for the project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.

Thank You



CA Amit A. Mohare

M.Com., F.C.A.

amit@aamco.in