



MAHARASHTRA REAL¹ESTATE REGULATORY AUTHORITY

Slum Rehabilitation Authority (SRA) Building, 'A' Wing, Prof. Anant Kanekar Road, Bandra (East), Mumbai 400 051.

महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

झोपडपट्टी पुनर्वसन प्राधिकरण इमारत, 'ए' विंग, प्रो. अनंत काणेकर मार्ग, वान्ट्रे (पूर्व), मुंबई ४०० ०५१.

MahaRera/Secy/File No.27/84 /2017

Date: - 14.06.2017

Circular No.:- 4/2017.

SUB: - Clarification on Calculation of Carpet area as defined under section 2(k) of the Real Estate (Regulation and Development) Act, 2016

Ref: - Section 2(k) of the Real Estate (Regulation and Development) Act, 2016

Preamble:-

Government of India has enacted the Real Estate (Regulation and Development) Act, 2016 and all the sections of the Act have come into force with effect from May 1, 2017. Government of Maharashtra has also notified the rules under the Act and established Maharashtra Real Estate Regulatory Authority (MahaRERA), vide Notification No.23 dated 8 March 2017, for regulation and promotion of real estate sector in the State of Maharashtra, with its headquarters at Mumbai. MahaRERA, thereafter, has notified Maharashtra Real Estate Regulatory Authority (General) Regulations, 2017, for the implementation of the Act and processing the applications received for Registration of Real Estate Projects and Agents.

Whereas the MahaRERA Authority, under section 37 of the RERA Act, 2016 and Regulation 38 of the MahaRERA (General) Regulations 2017 is vested with the powers to issue directions and orders to promoters, real estate agents and allottees from time to time for effective implementation of the Act and to achieve the underlying object behind the Real Estate (Regulation and Development) Act, 2016.

Whereas under section 2(k) of the Real Estate (Regulation and Development) Act, 2016, carpet area of the apartment to be sold by the promoter is defined as "carpet Area" means net usable floor area of an apartment, excluding the area covered by the external walls, area under services shafts, exclusive balcony or verandah area and exclusive open terrace area, but including the area covered by the internal partition walls of the Apartment.

Explanation – For the purpose of this clause, the expression "exclusive balcony or verandah area" means the area of the balcony or verandah, as the case may be which is appurtenant to the net usable area of an apartment, meant for the exclusive use of the allottee and "exclusive open terrace area" means the area of the open terrace which is appurtenant to the net usable area of an apartment, meant for exclusive use of the allottee.

Whereas there are various interpretations being given to the words "internal partition walls" and "external walls" by different professionals and Architects and therefore there is need to clarify the terms "internal partition walls" and "external walls" in order to have uniformity in the calculation of carpet area of an Apartment across all the projects being registered with MahaRERA.

For the purpose of the Real Estate (Regulation and Development) Act, 2016, "walls" would mean walls made of Reinforced Cement Concrete (RCC) or plain concrete or Shear wall(s) or wall made from bricks or blocks or precast materials or drywalls or walls made of any material or composition of one or more of any of the materials and shall include column(s) within or adjoining or attached to the wall.

Therefore, for the purpose of calculation of carpet area under clause 2(k) of the Real Estate (Regulation and Development) Act , 2016,

All walls which are constructed or provided on the external face of an apartment shall be regarded as "external wall".

All walls or independent columns constructed or provided within an apartment shall be regarded as "internal partition wall"

An illustration is attached herewith for clarification of the walls which are to be considered as "External Walls" and "Internal Partition Walls" with respect to an apartment and also of the area to be included and excluded while calculating Carpet area of an Apartment

This Order will come into force with effect from the date of commencement of the Real Estate (Regulation and Development) Act, 2016.

Sd/-

(Proposal Approved by
Hon'ble Chairperson
MahaRera)

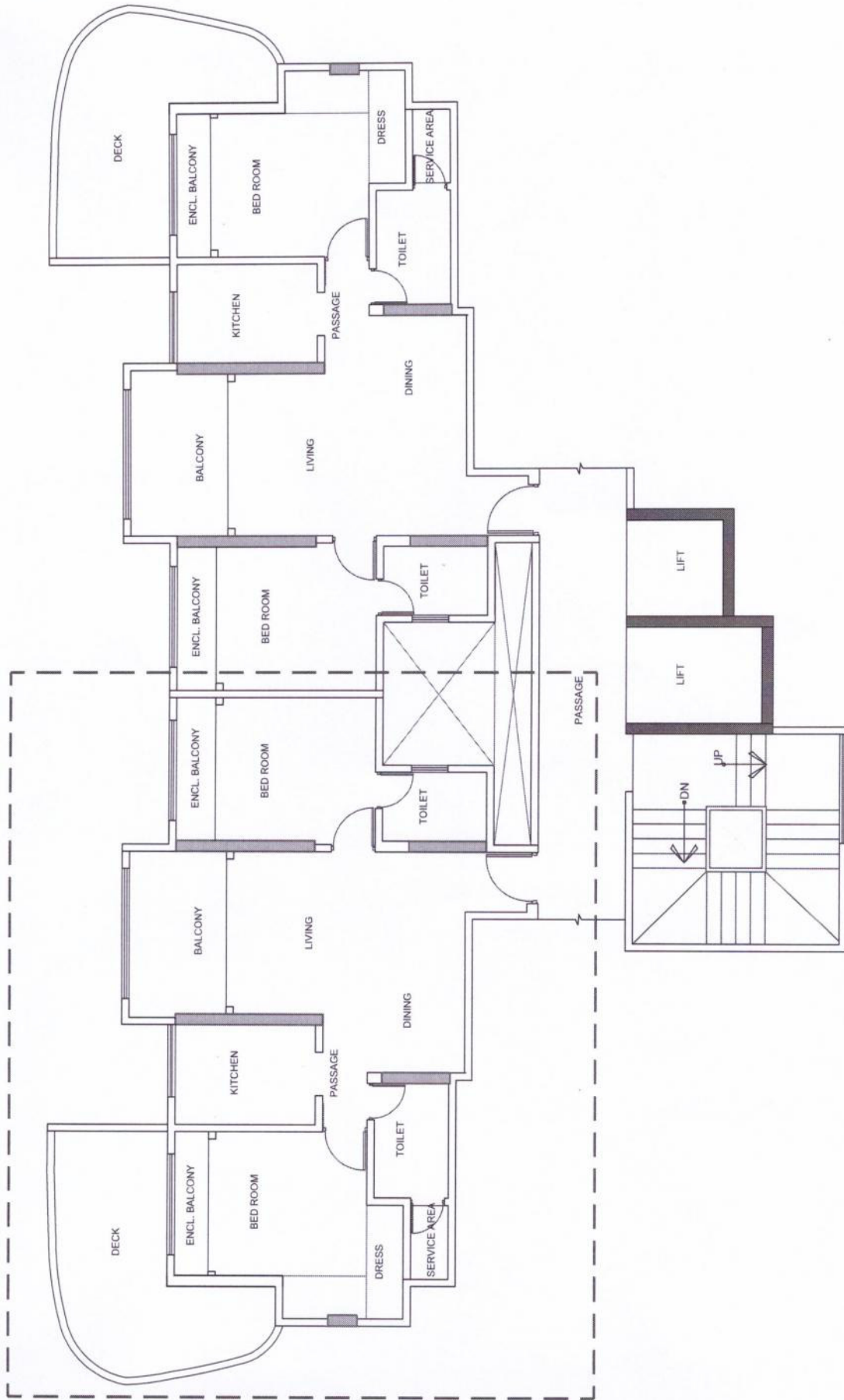


Secretary/MahaRera

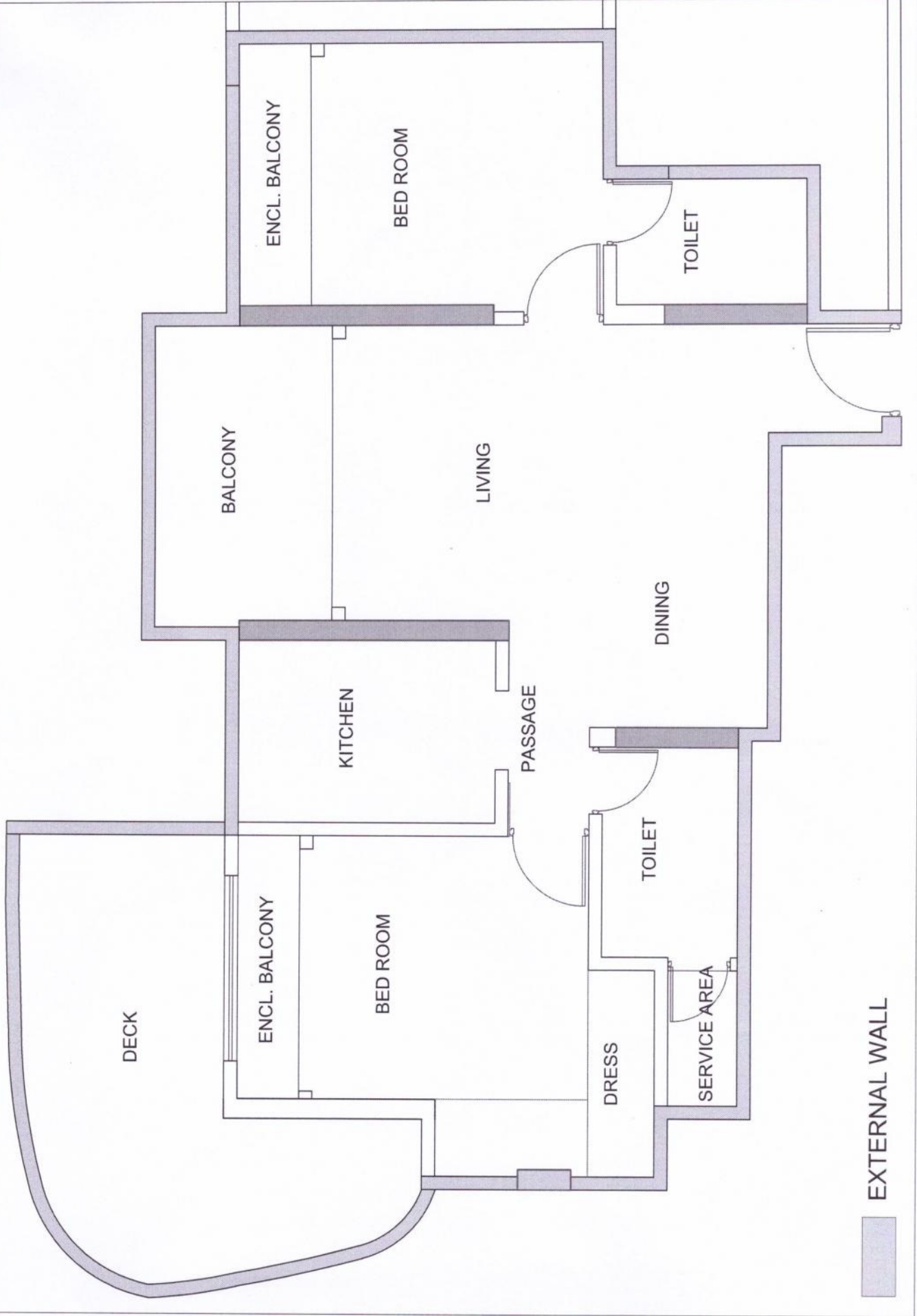
To,

1. All concern
2. All heads & staff of MahaRera office

1.PLAN

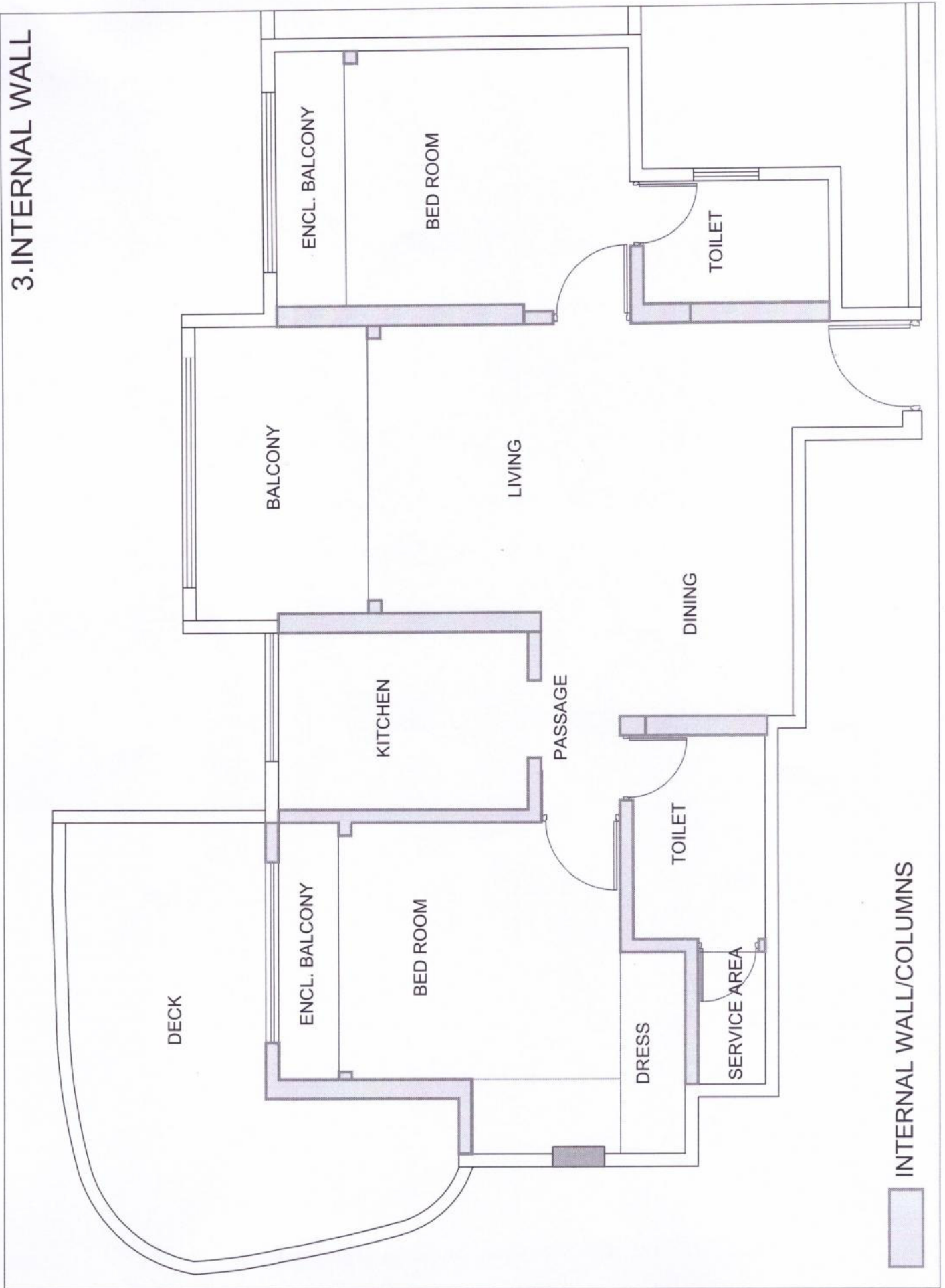


2. EXTERNAL WALL

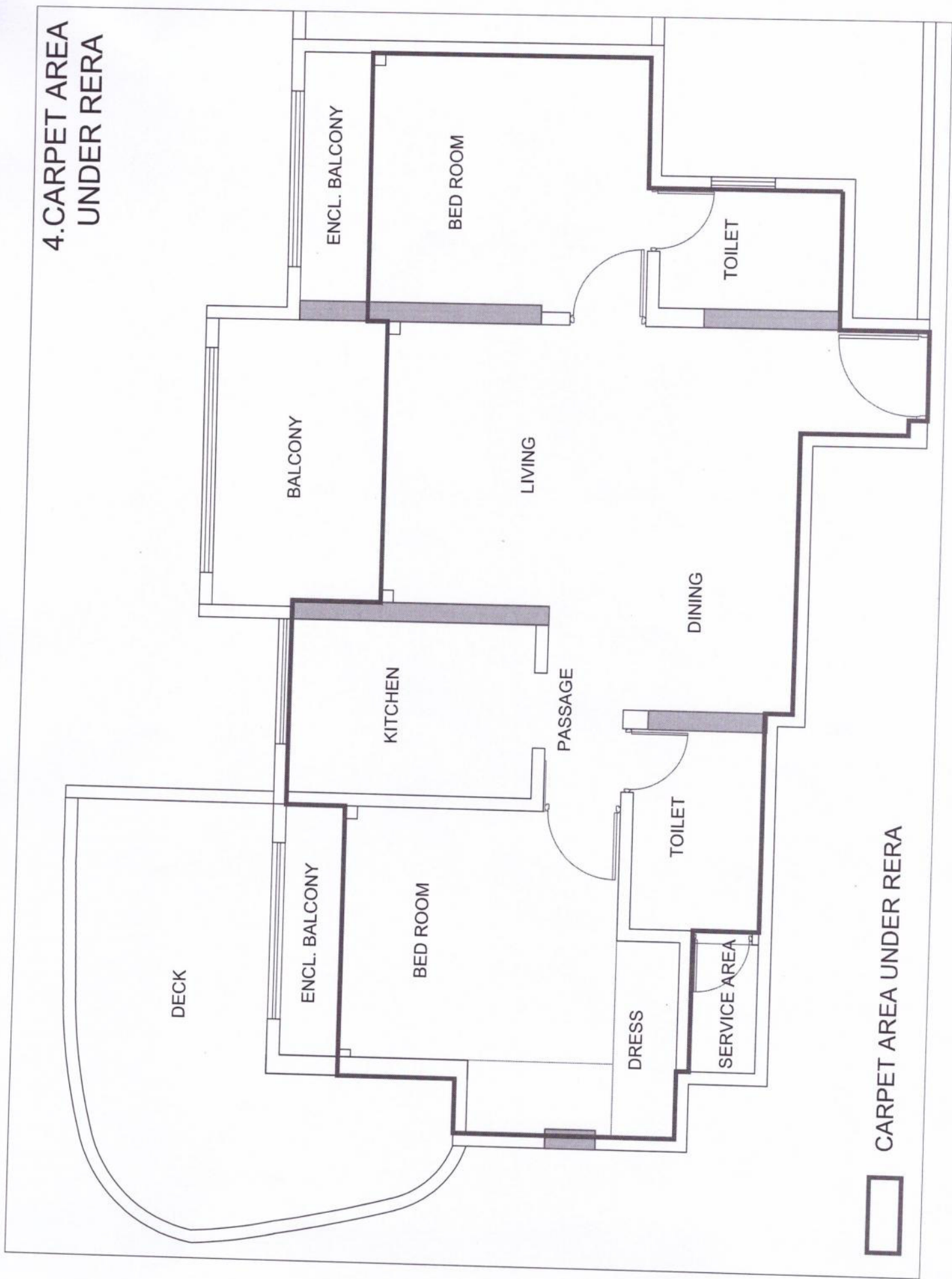


EXTERNAL WALL

3. INTERNAL WALL

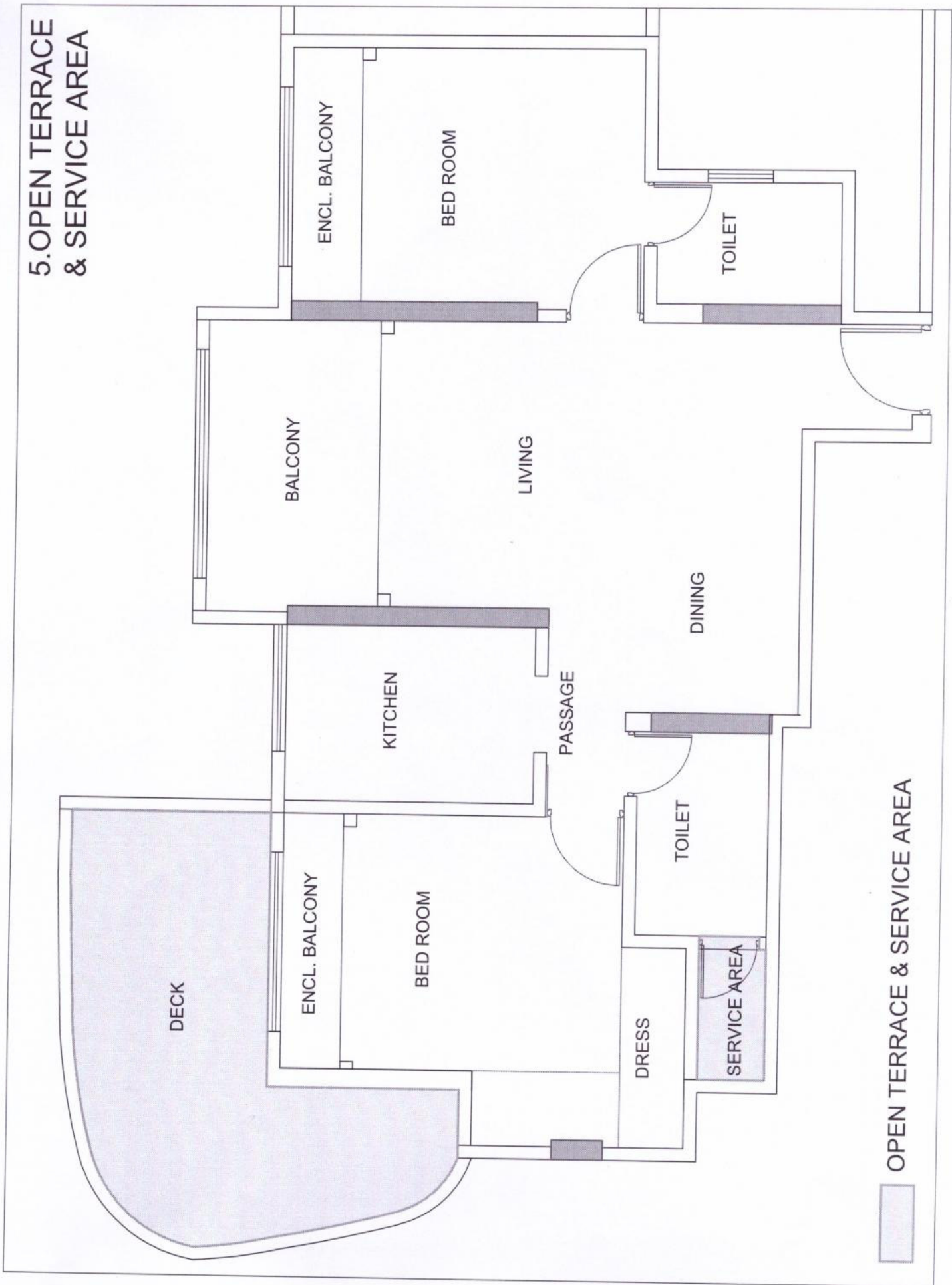


4. CARPET AREA UNDER RERA



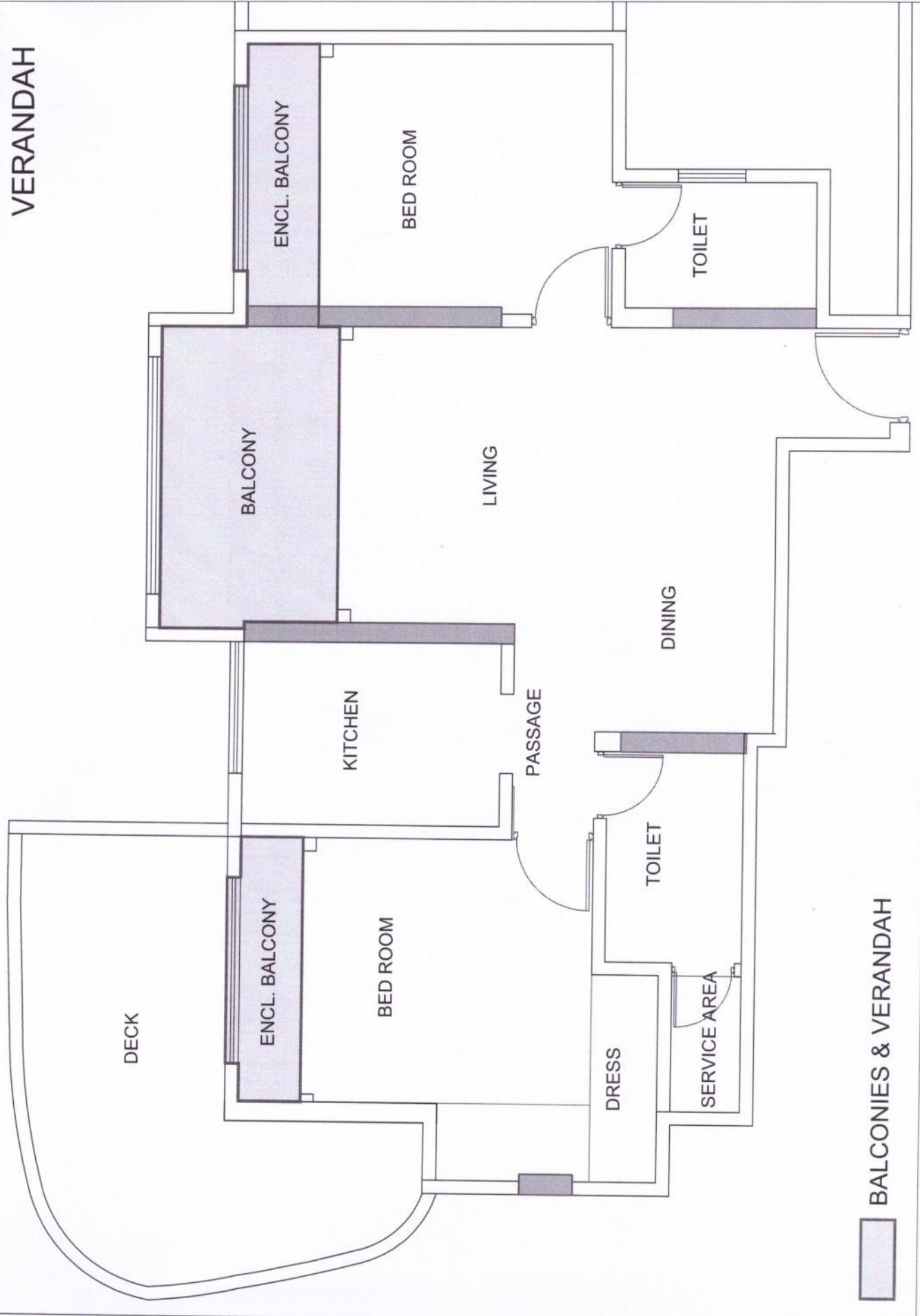
█ CARPET AREA UNDER RERA

5. OPEN TERRACE & SERVICE AREA



OPEN TERRACE & SERVICE AREA

6. BALCONIES & VERANDAH



7. ALL LAYERS

