
Gujarat Real Estate Regulatory Authority (RERA)**Circular No. 3/2017****No. GujRERA/CIR/SEC42/0817****Date :- 14th August, 2017****Subject:-Clarification on Calculation of Carpet Area as defined under Section-2(k) of the Real Estate (Regulation & 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 & Development) Act, 2016 and all the sections of the Act have come into force with effect from May 1, 2017. Government of GUJARAT has also notified the rules under the Act and established Gujarat Real Estate Regulatory Authority, (Guj. RERA), vide Notification No. GH/V/82 of 2017/MIS-102017-328145-L, Dated 4th May, 2017 for regulation and promotion of real estate sector in the State of Gujarat. Guj. RERA, thereafter, has notified Gujarat Real Estate Regulatory Authority (General) Regulation, 2017, for the implementation of the Act and processing the applications received for Registration of Real Estate Projects and Agents.

Whereas the Guj. RERA Authority, Under Section-37 of the RERA Act, 2016 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.

Section-2 (k) of the Real Estate (Regulations and Development) Act, defines carpet area as below:-

“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. Further the explanation reads as below;

“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”.

Various interpretations are 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 Guj. RERA.

For the purpose of the Real Estate (Regulation & 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 walls.

Consequently for the purpose of calculation of carpet area under clause-2(k) of the Real Estate (Regulation and Development) Act, 2016, the following aspects would be considered.

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”.

Illustrative examples are herewith attached 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.

(K. L. BACHANI)
Secretary Gujarat RERA

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